The Sydney Morning Herald.

No. 6647.—VOL. XL. TUESDAY, SEPTEMBER 27, 1859. [PRICE FOURPENCE.

PERSONS ADVERTISED FOR.

FRANKIE, dear.—Do please write or come to me, or tell me where I can come to you. ELIZABETH D.

IF CAIN FARNAM will write to JAMES FRENCH, North Shore, there is something for him.

MISS AMY VANDELURE (a native of Spain).—The above young Lady, who in 1853 resided with her mother and sister in Melbourne, Victoria, will hear of something to her advantage by communicating with Mr. J. A. GUNNEEN, Clarefield, via Singleton; or to DESMOND and CO., Melbourne. September 23.

Q. R.—LETTER of importance lying for you at the Post Office. Resting Reef.

S. A. P.—Send your address to your Cousin, J. A. C. Maitland.

HARBOUR DEPARTMENT, Port Jackson.—An appointment of HARBOUR PILOT having become vacant, applications for the same, accompanied by testimonials, will be received at this office until two o'clock, on THURSDAY, the 6th October next, at which hour applicants are requested to be in attendance.
By order of the Board,
W. J. WILSHIRE, secretary.
The Office of the Pilot Board, 19th September.

AUSTRALIAN MUTUAL PROVIDENT SOCIETY.
Notice is hereby given that a MEETING of the above Society will be held in the Society's Office, Hunter-street, Sydney, on TUESDAY, the fourth day of October next, at 4 o'clock in the afternoon, for the purpose of declaring the result of the second quinquennial investigation.
By order of the Board,
ROBERT THOMSON, Secretary.
Hunter-street, September 19.

IMPERIAL CRICKET CLUB.—A MEETING will be held at the Club Room, Liverpool-street, THIS EVENING, at 8 o'clock, when all members are requested to attend. ROBERT R. DOAG, Hon. Secretary.

FREEMASONRY.—Zetland Lodge of Australia, No. 941.—Members are requested to attend an Emergency Meeting, at the Hall, York-street, THIS EVENING, at seven o'clock precisely. J. F. HENEY, Secretary.

A PUBLIC MEETING of the DRAYMEN of Sydney, will be held in the large room at Mr. M'Master's, corner of George and Goulburn streets, on WEDNESDAY EVENING, at 7 o'clock. N.B.—Draymen, study your own interest and attend the meeting, 7 o'clock sharp.

BALMAIN.—Notice.—A MEETING of the Electors of Balmain opposed to a Municipality will be held at Mr. J. APTON'S Hotel, Balmain, on WEDNESDAY, 28th September, at 7½ p.m.

BALMAIN MUNICIPALITY.—Committee appointed to promote the petition for placing Balmain under the Municipalities Act for 1858.
Chairman:—E. W. CAMERON, Esq.
Secretary:—Mr. GEORGE COCKBAY.

Messrs. John Black	John Row
John Booth	F. Parsons
George Bocamy	Thomas Perkins
J. V. Barnard	H. Perdrian
W. P. Moffatt	J. H. Palmer
P. M'Beathe, senior	R. B. Ross
William Marshall	Captain Rountree
Rev. R. Mansfield	G. M. Simpson
Alexander Gray	G. B. Yarnton
Dr. O. S. Evans	

THE SYDNEY AUXILIARY TO THE CHURCH MISSIONARY SOCIETY.—A public LECTURE will be delivered THIS EVENING, Tuesday, the 27th instant, at St. John's Parochial Schoolhouse, Darlinghurst, by the Very Rev. the DEAN of SYDNEY, on "Early Difficulties and Later Encouragements, in connexion with Indian Missions." The Rev. THOMAS HAYDEN will take the chair at half-past seven o'clock. By order of the committee.

SYDNEY MECHANICS' SCHOOL OF ARTS.—LECTURE, THIS EVENING, the first of a series of Three on ANCIENT EGYPT, by Sir CHARLES NICHOLSON, Bart., D.C.L. Doors open at 7 o'clock, commence at half-past. Admittance, 6d. each. Members free. Members' tickets for the ensuing quarter are now ready for delivery. Terms — Annual, £1; half-yearly, 10s.; quarterly, 5s.

THE NEW SOUTH WALES AUXILIARY BIBLE SOCIETY.—The Committee intimate to the Subscribers and Friends that in consequence of Mr. Goold's resignation, they have appointed Mr. J. H. MORRISON, late assistant at the old Depot, to be the Depository of the new premises, 264, Pitt-street, South, midway between Market and Park streets, nearly opposite the Mechanics' School of Arts.
EDWARD ROGERS, } Joint
ALEX. MACARTHUR, } Secretaries.

In the Supreme Court of New South Wales.
Ecclesiastical Jurisdiction.
In the will of ROBERT GUDGEON JOHNSTON, late of Port Macquarie, in the colony of New South Wales, Esquire, deceased.
NOTICE IS HEREBY GIVEN that, at the expiration of fourteen days from the publication hereof, application will be made to this honourable Court, in its Ecclesiastical Jurisdiction, that probate of the said will of the said ROBERT GUDGEON JOHNSTON, deceased, may be granted to ROBERT SCOTT ROSS, of Sydney, in the said colony, Esquire, one of the executors therein named (Edward Denny Day, of East Maitland, in the said colony, Police Magistrate, having duly pronounced probate thereof.)
Dated this twenty-third day of September, 1859.
JOHN RUSSELL JONES, proctor for the said executor, 121, King-street, Sydney.

In the Supreme Court of New South Wales.
In Insolvency.
NOTICE TO CREDITORS.—The creditors in the following estates are informed that PLANS of DISTRIBUTION have been lodged in the Office of the Chief Commissioner of Insolvent Estates, King-street, where they now lie for their inspection, viz., insolvent estate of
MARIA J. MARRINGTON, of Wollongong, draper.
CHARLES NASH, Picton, farmer.
EDWARD SWINDON, Morpeth, farmer.
ANDREW FARRELLY, Sydney, agent.
MALACHI HARDIMAN, of the Parramatta Road, publican.
FREDERICK W. PERRY, Official Assignee, 125, Elizabeth-street. September 24.

LESSEES OF RUNS are requested to take NOTICE that the Assessment for 1859, under the Act 22 Victoria No. 17, is, by the 3rd clause, made payable at the same time as the Rent, viz., on or before the 30th of the present month.
E. C. WEEKES.
The Treasury, New South Wales, 8th September, 1859.

NOTICE.—I, the undersigned, do hereby decline to act as agent for Mr. Joseph Alexander Mann, butcher, Glebe, from this date. JABEZ BUNTING, September 26th, 1859.

NOTICE.—All CLAIMS against the Estate of the late PETER BYRNES, of the Vale of Avoca, Parramatta-street, are requested to be sent in to Mr. H. VAUGHAN, 136, King-street.

I, THE UNDERSIGNED, hereby give notice that I will not be responsible for any debt or debts contracted in my name without the written authority of myself or wife. GEORGE BAINBRIDGE. Sept. 26.

THERRY TESTIMONIAL FUND.—All CLAIMS against the Committee of the above, to be rendered to the undersigned THIS DAY; and all not so rendered will not be hereafter recognised. Those who have not subscribed to this fund, and are desirous of doing so, will please forward their subscriptions without delay, as it is intended to forward the amount collected to Europe by the evening mail. EDWARD SALAMON, honorary treasurer.

FINAL NOTICE.—All ACCOUNTS due to the estate of the late HENRY WELSH, must be paid on or before the 30th instant, in order to prevent steps being taken for the recovery. GEORGE MOORE, administrator.

NOTICE.—The undersigned have this day entered into PARTNERSHIP under the style and firm of JOSEPH KOHN and Co.
(Signed) F. KELLERMAN,
JOSEPH KOHN.
Sydney, 28, Bridge-street. September 19th, 1859.
Witness,— EDWARD MYERS.

NEW SYNAGOGUE, Macquarie-street.—NOTICE.—Persons requiring seats can obtain them by applying to the secretary, daily, from 3 to 4 p.m., at the Synagogue, opposite the Council Chambers. L. LIPMAN, Hon. Secretary.

NOTICE.—A Dark Red Poley Cow, brand like C or G near side, has been running on my farm, Hunter's Hill, for eighteen months; will be sold in seven days unless agistment paid. J. BUCHANAN. September 26.

NOTICE of REMOVAL.—Mr. HENRY N. MONTAGU, B.A., Tutor in Classics and Modern Languages, has removed to Belvidere Cottage, Bourke-street, Woolloomooloo, opposite St. Kilda House. Business letters can be addressed to Mr. Montagu as above, or at the Empire Office.

NOTICE OF REMOVAL.—GEORGE CHISHOLM and CO. intend removing from their small and inconvenient stores, in Pitt-street, to those large and commodious premises now being built in George-street, next the Post Office.

ROYAL VICTORIA THEATRE.—Sole Lessee and Manager, Mr. SAMUEL COLVILLE.
This beautiful Temple of the Drama, the most elegant and complete in the Australian colonies, remodelled and decorated at an expense of £1700, will be thrown open to the public on
WEDNESDAY EVENING, September 28,
on which occasion the
GREAT ARTISTE,
MISS MARY PROVOST
will deliver the
OPENING ADDRESS.
and the favourite Artistes
MR. and MRS. R. HOLT,
supported by a most powerful Corps Dramatique, will appear in a popular five act Play.
Box sheet now open. Prices as usual.
At the request of his patrons, Mr. Colville will issue a limited number of monthly tickets of admission to the Dress Circle, or Family Circle, the term of which will be made known upon application at the Box Office of the Theatre, between 11 and 2 o'clock, prior to the 28th instant.

PRINCE OF WALES THEATRE.—On MONDAY and TUESDAY EVENINGS next, the Dramatic and Operatic BENEFITS tendered by the company to Mr. CHARLES POOLE, will take place under the distinguished patronage of his Excellency the Governor-General, and all the leading families in Sydney and its vicinity. Full particulars will be duly announced. To prevent disappointment early application for boxes is requested, to Mr. JONES, treasurer, at the Box Office, from 10 till 3 o'clock.

PRINCE OF WALES THEATRE.
Lessee and Manager .... Mr. Charles Poole.
VERDI'S MASTERPIECE.
The most successful Opera ever produced in Australia.
IL TROVATORE, supported by the members of the Opera Company.
The Opera season will terminate on 17th October, the Operatic artistes being under engagement to appear at the Theatre Royal, Melbourne.
THIS EVENING, Tuesday, September 27th.

PRINCE OF WALES THEATRE.—Mr. J. GREGG as Il Conte di Luna.

PRINCE OF WALES THEATRE.—Mr. W. SHERWIN, as Manrico.

PRINCE OF WALES THEATRE.—Mr. F. HOWSON, as Ferrando.

PRINCE OF WALES THEATRE.—Madame CARANDINI, as Leonora.

PRINCE OF WALES THEATRE.—Madame SARA FLOWER, as Azucena.

MISS JULIA MATHEWS, AS INEZ.

AUSTRALIAN LIBRARY, BENT-STREET.—Mr. J. R. BLACK has the honour to present the following Programme of the Melodies introduced in his elegant and interesting entertainment of
NATIONAL MELODIES,
Entitled
"THE WREATH!"
Which he will have the pleasure of presenting
THIS EVENING, TUESDAY, September 27th, 1859,
And in which he has entwined some of the most beautiful flowers of
ENGLISH,
IRISH,
SCOTTISH,
ITALIAN, and
GERMAN MELODY.
PROGRAMME:
PART I.
Song—The Prince's Day.
Song—Rich and rare were the gems she wore.
Scena—Vieni la mia Vendetta.
Song—Tullochgorum.
Song—Ob ich dich liebe.
Song—Sally, Sally, shilly, shally.
PART II.
Song—The Laird o' Cockpen.
Song—The Flowers of the Forest.
Song—I am a Roamer.
Song—What would you do, love.
Song—My boy Tammy.
Song—We're a' noddin.
An interval of ten minutes between the Parts.
Reserved seat, tickets, numbered, 5s.; gallery, 3s.
Tickets may be obtained of Mr. J. P. Elliott, librarian, or of Mr. Clarke, bookseller, George-street.

MR. W. CLARKE'S Weekly Quadrille Assembly, THIS EVENING (Tuesday), September 27th. 75, William-street.

QUADRILLE ASSEMBLY, 75, William-street, THIS EVENING. Dancing to commence at half-past 8 p.m.

QUADRILLE ASSEMBLY THIS EVENING at Mr. W. CLARKE'S Academy, William-street. Full band in attendance.

GRAND FANCY DRESS BALL, TO-MORROW NIGHT, at SMITH'S Assembly Rooms, (late Madame Farrelly's), Elizabeth-street. Gentlemen's tickets, 5s.; ladies' ditto, 2s. 6d., each. Dancing will commence at half-past Eight o'clock.

A QUADRILLE PARTY, at the University Hotel, Glebe, every Saturday evening. Admission, 1s.

MELBOURNE CHAMPION RACES.—Ladies and Gentlemen will find good accommodation at TANKARD'S Temperance Hotel, Lonsdale-street.

THE CHAMPION SWEEPSTAKES.—MENZIES' HOTEL, MELBOURNE, patronised by his Excellency Sir Henry Barkly.—Parties visiting Melbourne during the Races will find the accommodation and conveniences of the above hotel of a class unequalled in the colony.

REVIVAL IN GREAT BRITAIN.—Any person possessing information on the above subject will confer a favour by forwarding the same to the Secretary of the Young Men's Christian Association, 588, George-street.

EDUCATION.—Campbelltown Scholastic Establishment. Conducted by the Rev. JOHN GIBSON.
The district is most healthful and picturesque, and easy of access by rail from Sydney.
The usual branches of a sound, liberal education, are imparted, and every attention given to the mental, moral, and physical training of the pupils.
Terms, 45 Guineas.
There will be three vacancies on 1st October.
REFERENCES.
Rev. Wm. Cuthbertson, B.A.
" Joseph Beezley
" T. Arnold
" T. L. Threlkeld
J. R. Houlding, Esq.
John Rowe, Esq.

EDUCATIONAL ESTABLISHMENT, conducted by Mrs. PENDERED, Duke-street, Balmain.—Terms, which are moderate, on application. References kindly permitted to John Fairfax, Esq., Sydney; Charles Kemp, Esq., Sydney; the Rev. T. A. Gordon, Balmain; John Row, Esq., Balmain. The quarter commences MONDAY, 3rd October.

EDUCATIONAL ESTABLISHMENT for Young Ladies, Sunbury House, Cleveland-street, Cleveland Paddocks. Mrs. THORNTON intimates that the next quarter will commence on WEDNESDAY, 5th October.

MISS FREEMAN'S Boarding and Day School, 29, Cowper-terrace, Church-hill. Vacancies for two boarders.

LOST, on Sunday night, on the Paddington Road, a SABLE BOA. The finder will receive Ten Shillings reward, on bringing it to the White Horse Hotel, George-street.

LOST, Two £1 NOTES, between Grafton Wharf, Church hill, and Margaret-street. The finder will be rewarded by taking them to the HERALD Office. G. W.

FOUND, on Saturday last, in Elizabeth-street, a Lady's BOA. Apply to G. PREDDY, 253, Castlereagh-st.

FOUND, on Sunday, a red morocco PORTEMONNAIE. Owner apply at 22, South Head Road.

TO PAWNBROKERS and others.—£1 REWARD.—Stolen, from Charlton's Hotel, Market Wharf, on Sunday, the 18th instant, by a person now in custody, one PONCHO and one OVERCOAT. They were offered for sale on Monday, the 19th. Any person giving information that will lead to the recovery of those articles will receive the above-mentioned reward, on application to M. CHARLTON, Hotel, Market Wharf.

THE undermentioned CHEQUES having been stolen from the Office of the FREEMAN'S JOURNAL, the public are cautioned against negotiating the same, payment having been stopped:—J. H. Atkinson, on the English and Scottish Chartered Bank, in favour of Dougherty, dated September 19, for £4 1s. 6d. William Ellis, on Bank of New South Wales, in favour of the FREEMAN'S JOURNAL, dated September 19, for £4 10s.

MONEY TO LEND on Mortgage, in sums to suit borrowers. Apply to the Trustees of the Savings' Bank. G. O. ALLAN, Managing Trustee.

MONEY TO LEND ON MORTGAGE, in sums of £500 and upwards, by the Sydney Insurance Company. By order of the Board,
JOSEPH DYER, secretary.

INVESTMENTS in Debentures, Bank, and other Shares may always be obtained or disposed of, at current prices, on application to LENNON and CAPE, stock and share brokers, Terry's-buildings, Pitt-street.

WANTED, a respectable Middle-aged WOMAN, as Nurse. Apply to Mrs. DARLEY, Clapton, Upper Forbes-street, Darlinghurst.

WANTED, a strong active Young MAN as Storeman. PRITCHARD and WILLIAMS, Sussex-street.

WANTED, by a professed Cook, a SITUATION in an Hotel or Club. Address, A.B., HERALD Office.

WANTED, a BARMAID; one used to the business. C. B. A., HERALD Office.

WANTED, by a first-hand Dress and Mantle Maker, EMPLOYMENT by the day. G. G. HERALD Office.

WANTED, a good general BLACKSMITH, who understands shoeing horses. Apply, by letter, G. MERRITT, storekeeper, Aviaford.

WANTED, as HOUSE and PARLOUR MAID, a respectable young WOMAN, with good references to character and capability. A Protestant preferred. Apply between the hours of ten and one, to Mrs. M'DONALD, Adelaide Cottage, Pott's Point.

WANTED, by a Clerk, EVENING EMPLOYMENT. Address J., Box 79, Post Office.

WANTED, a large-size DOG-CART. Apply to Professor BUSHELL, 75, Bourke-street, Woolloomooloo.

WANTED, SHEPHERDS, Vinedressers, a German Carpenter, Female Servants. H. HAMBURGER, 78, Pitt-street.

WANTED, a respectable Protestant SERVANT as housemaid, and to attend to one child. Good references required. Apply 19, Lower George-street.

WANTED, a PORTER. Apply A. HORDERN, 756, George-street South.

WANTED, a Brickmaker, for the Goulburn District; Married Couples, for near Sydney, Hunter River, Goulburn, and Lane Cove; a Cook and Laundress, for the country; a professed Female Cook, for Sydney; Single Man, well accustomed to cows; general single Farming Men. S. ASHLIN, agent, 139, Pitt-street, opposite Union Bank.

WANTED, by a Young MAN, a SITUATION on a Station as STOCKMAN; the Northern Roads preferred. Address K. E., HERALD Office.

WANTED, for a Clergyman's family, in Liverpool, a COOK and LAUNDRESS; also a NURSE, who must be a good needlewoman. Apply to Mrs. NORTON, Elswick, Parramatta Road.

WANTED, a HOUSE and PARLOUR MAID; also a NURSERYMAID accustomed to needlework. Apply to Mrs. BURTON BRADLEY, The Terraces, Glenmore Road, near Military Barracks, Paddington.

WANTED, a Married COUPLE, for the country. Apply to BRIT and MACDONALD, 6, Wynyard-street.

WANTED, by a competent Book-keeper, who has an hour or two each evening to spare, a Tradesman's BOOKS to keep; references given if required. Address S. M., HERALD Office.

WANTED, a GENERAL SERVANT. Apply, This Day, 113, Prince-street.

WANTED, a respectable Young WOMAN, as NURSE, with good references in that capacity. Apply before one o'clock, to Mrs. CONSETT STEPHEN, 1, Glebe Height, Glebe Road.

WANTED, an English Farming MAN and BOY. Apply to Mr. W. BLUNDELL, Victoria Wharf.

WANTED, a GROOM. Apply to Mr. MORT, Green Oaks, Darling Point.

WANTED, a GENERAL SERVANT, who can wash and iron well. 4, Bridge-street.

WANTED, a SITUATION, as LIGHT PORTER or MESSENGER in an office, by a respectable young MAN. Can read and write, and produce good references. Direct to E. A. C., HERALD Office.

WANTED, PUPILS for PIANO. Terms, 30s. per quarter. Apply Mr. FAHEY, draper, 90, King-st.

WANTED, a STONEMASON, for Wide Bay; only good hands need apply. Mr. BERRY, Railway Family Hotel, corner Parramatta and Botany streets.

WANTED, by a young Person, DRESSMAKING, to go out. Mrs. M'CLUER, 118, Clarence-street.

WANTED, a GARDENER—one who can make himself generally useful. Apply, this day, after 10 o'clock, to J. WESTBROOK, 12, O'Connell-street.

WANTED, by a first-class Gardener, a SITUATION, in a gentleman's establishment; is thoroughly acquainted with pruning and grafting, also kitchen garden. Address A.B., Mrs. Pavsey's, 188 Pitt-street.

WANTED, a large-size DOG-CART. Apply to Professor BUSHELL, 95, Bourke-street, Woolloomooloo.

WANTED, a Middle-aged Woman, as GENERAL SERVANT and LAUNDRESS, at 68, Forbes-st.

WANTED, an active young man as BOOTS and GENERAL SERVANT, at Petty's Hotel, Church Hill.

WANTED, a GROCER'S ASSISTANT, for the country. JOHN FRAZER and CO., 95, York-st.

WANTED, a middle-aged English Protestant FEMALE as GENERAL SERVANT. Apply 89, Parramatta-street, between the hours of 10 and 1.

WANTED, a WATCHMAKER, for the country. For further particulars, apply to the Clarence River Inn, Sussex-street. None but good tradesman need apply.

WANTED, a MAN, to dig and trench. Enquire at the Spread Eagle, Pitt-street.

WANTED, Female General HOUSE SERVANT, 290, Pitt-street, opposite Park-street.

WANTED, a respectable Female as GENERAL SERVANT, in a private family, where there are no children. Apply to JOHN BEAMES, George-street, opposite Jamison-street.

WANTED, a YOUTH as Apprentice. J. SKINNER, Sydney House, 220, Pitt-street.

WANTED, a GENERAL SERVANT, who is a good laundress. Also, a NURSEMAID. Redfern Lodge, Pitt-street, Redfern.

WANTED, a Pair of SAWYERS. Apply to BROWN and HILL, Grafton Wharf.

WANTED, a good GENERAL SERVANT, that can wash and iron. Mrs. MAY, opposite Post-office.

WANTED, FURNISHED APARTMENTS, pleasantly situated, for a married couple and single lady; or, a small Furnished COTTAGE, for a short period. Apply by letter to X. Y. Z., HERALD Office.

WANTED, a DRAY HORSE. Price not to exceed £20. Address R. C., HERALD Office.

WANTED, a FEMALE SERVANT. Apply at the Jew's Harp, Brickfield Hill.

WANTED, a Female, as HOUSEMAID and LAUNDRESS. Apply Swan with Two Necks, George and Park streets.

WATER CARTS.—Wanted, a WATER CART. Apply to C. W. PENNY, three doors from Elphinston's, the builders, Derwent-street, Bishopthorpe.

WANTED, a General HOUSE SERVANT. Apply 56, Brisbane-street.

WANTED, an active LAD. Apply at the old HERALD Office, Lower George-street.

WANTED, a HOUSEMAID. Apply to Mrs. H. COHEN, Monster Clothing Hall, 402, George-st.

WANTED, a General FEMALE SERVANT. Apply Pelican Hotel, South Head Road.

WANTED, a CARPENTER and JOINER, 84, Campbell-street, opposite the Gun Hotel, near Haymarket.

WANTED, a General HOUSE SERVANT. Apply to No. 27, Cowper's-terrace, Church-hill.

WANTED, a respectable PERSON, to assist in Housework. 83, Botany-street, South Head Road.

WANTED, an active YOUTH, as Porter. J. CLARKE, corner Pitt and Liverpool street.

WANTED, by a Lady going up the country, a FEMALE SERVANT, who can make herself generally useful. Apply at Clifton House, Jamison-street.

WANTED, a respectable NURSE GIRL, accustomed to children, at 219, Castlereagh-st., near Market-st.

WANTED, GENERAL SERVANT and NURSE GIRL. Apply at BUTLER, BROTHERS, and WHITEHOUSE, near Metropolitan Hotel, at 10 o'clock.

WANTED, a TIN-PLATE WORKER, and strong BOY. ISAAC and PARR, Market-st. West.

WANTED, a coil of 10 or 11-inch Manila or Coir WARP. WILLIS, MERRY, and Co., 17, Church-hill.

WANTED, a MAN to make small goods. Apply, USHER and CO., pork butchers, 228, Pitt-street.

WANTED, an ASSISTANT to the Drapery, at BRANDON'S, 274, Pitt-street.

WANTED, a COOK and LAUNDRESS, or HOUSE and PARLOUR MAID; also, a GENERAL SERVANT. Apply, with references, 3, Myles-buildings, Cumberland-street.

WANTED, for the country, a MARRIED COUPLE, a BUTCHER and LABOURER. Apply THIS MORNING, to ASHDOWN and CO., corner of King and George streets.

PRINCIPIIS OBSTA.

THE NEWCASTLE LEASES AND THE COMMITTEE THEREON.

The right of petition is one too useful and too precious to be lightly interfered with. At the same time the importance—we had almost said the sanctity—of that right affords a strong reason for discouraging its exercise unless prompted by adequate cause and fitting occasion. Whenever a petitioner comes before the Legislature who has not a clear *primâ facie* title to a hearing, both these principles should be borne in mind. The decision of the House of Assembly to which we invite attention, will merit approval, if the former of them shall seem the more applicable; will be censurable should the latter appear better suited to the case.

The facts, as far they are material, lie in a very small compass. In the year 1851, the Bishop of Newcastle, mistaking, as it should appear, his powers in that behalf, granted to sundry persons leases of allotments of ground at Newcastle, over which he had in fact no legal right whatever. Subsequently, the Great Northern Railway Company, under the special powers granted to them by the Legislature, took entire or partial possession of several of these holdings, destroying the buildings and improvements theron. The dealings for the transfer of the leasehold rights brought out the fact that the tenants had in effect no real title. The Railway Company, of course, refused compensation—or rather reserved it for the parties legally entitled to the land. The holders of the Bishop's worthless leases found themselves sufferers by no fault of their own, unless so far as their original acceptance of such leases without due inquiry showed culpable negligence. Under these circumstances they petitioned the Legislature for redress, and on Tuesday last, after a debate and a division in the House of Assembly, a committee was granted to inquire into and report on their case, with a view, as it appeared, to granting them some special relief.

Many benevolent persons will as once exclaim, Why not? Is not redress of grievances (especially such as are connected with the course of public undertakings one of the highest functions of a popular legislature? On this large, but somewhat vague view of the case many hon. members, doubtless, acted in voting with the majority on Tuesday evening. In questioning the decision of that majority, we are actuated, not by any special interest in the case of the Newcastle petitioners, but by a strong conviction that it is of the utmost importance to the efficiency and purity of government that the Legislature should not invade the functions of the ordinary judicial tribunals. On the face of the facts it appears that the petitioners had sustained a private wrong—why should they be held entitled to a public remedy? Their case was substantially that of hundreds, who by a defect of title are ejected from holdings for which they have given consideration. No doubt, the legal remedy in such cases against the lessee or vendor who has covenanted to do what was beyond his power is difficult and expensive. Many will think that Lord Kenyon's favourite joke, "*Abi in malam rem*"—go to equity—was a correct though somewhat free translation. But this is an evil from which the luckless victims of the Episcopal signature suffer in common with thousands of their countrymen equally incautious and equally unfortunate. It is an evil which the Legislature can only cure or mitigate by strengthening the hands of our courts of judicature, and otherwise simplifying or facilating legal and equitable remedies. If the case of these Newcastle petitioners is to form a precedent, what a frightful vista of Legislative labour expands before us! Every rejected occupant who shrinks from suing on a covenant for peaceful occupation—every *cestui que trust* (this barbarous jargon is alas inevitable) who dreads the anxiety and expense of calling a corrupt or negligent trustee to account, will have his pathetic appeal before the House, and his powerful advocates within it. The eighty members of Assembly will not suffice for committees, and six new tables will be ordered for petitions to be upon. "Cowper's Task" will be interminable in a new edition—the Ministry will be engulphed in a vortex of special grievances—and the secretaries will sink under the endless toil of avenging broken contracts and unfulfilled conditions.

But this is not all. Such interferences are below the dignity, as well as beside the functions, of a national Legislature. The House has higher duties than those of extemporising redress to private individuals for private wrongs. Men will not long respect a body which they can set in motion to remedy oversights in contracts or errors in conveyancing. The familiar classical dictum "*Nec Deus intersit nisi dignus vindice nodus*" shadows out a truth higher than the dramatic rule which Horace meant to recommend. We may apply it in a case like the present, without suggesting an apotheosis of ministerial "dodgers," or likening our respectable representatives in broadcloth to the divinities in flesh-coloured "pants" who people the theatrical Olympus. Great powers ought not to interpose on petty occasions—the Assembly, by interfering in such matters as that in question, loses both in the public eye, and in that consciousness of a high vocation which gives to conduct an elevated tone.

The last, but most important, consideration which we would urge is the danger of extending corrupt influences, by setting the House—which too often will mean only the Government—to assess compensation for civil injuries, with a power to award payment out of the public revenues. The evil is threefold. There is the "douceur" to the petitioner, whom a committee (possibly packed or partial) exempt from the necessity of bringing his grievance, and the author of it, before a legal tribunal. There is the virtual impunity to an alleged wrongdoer, which must result from indemnifying the injured party otherwise than at his expense. There is, finally, the breach of trust to which the guardians of the public purse are in such a case invited. Surely these are no light evils at any time.

But, under an administration like that with which we are at present blest, they assume an aspect especially formidable. The Cowper Cabinet stand publicly charged, on strong, if not conclusive, evidence, with corruption extensive and multiform. It requires a robust faith to believe in their official purity; but even their most thorough-going supporters must admit that their conduct in reference to matters judicial has been open to grave suspicion. If they are indeed corrupt, what a field for indirect bribery does the vote of Tuesday open to them! If wrongfully suspected—how cruel to expose them to new and plausible imputations! Let it not be forgotten that the committee on the case of the Newcastle lessees was carried by a Government majority.

SPECTATOR.

A Snake.—So far as we have heard, the first snake of the season was seen a few days ago in the neighbourhood of Collector. A son of Mrs. Poidevin, aged about fourteen years, was out riding, when he came up to where there was a lead-coloured snake about four feet long. The reptile appeared disposed to show fight, but the lad courageously dismounted, procured a stick, and dispatched him.—*Goulburn Herald.*

SOUTHERN DISTRICT COURTS.

The following summary of the proceedings of these Courts has been compiled by a correspondent for this paper. In the preparation of this summary, our correspondent acknowledges through us to be indebted to the *Goulburn Chronicle*, the *Goulburn Herald*, and the *Yass Courier*.

We present it to our readers as an epitomised account of the business of these courts up to this stage of their existence, and we trust it may be acceptable and useful to the public and the Parliament in reference to their future progress.

GOULBURN DISTRICT COURT.
(*Extracted from the Chronicle.*)
Wednesday, June 1.

The first sittings of the Goulburn District Court opened on Wednesday last, before T. Callaghan, Esq., District Court Judge and Chairman of Quarter Sessions for the Southern District. There was a fair attendance in the Court, and amongst those present were several of the resident magistracy. The members of the legal profession in attendance were Messrs. Walsh, Waring, Gannon, and Scarvell. The list comprised thirty-seven cases, of which two only—Byrnes v. Hall, and Macdonald v. Martyn—were jury cases. It was arranged that these should be taken first.

The Judge took his seat at twenty-five minutes past ten, and the jury having been called, his Honor delivered the following address to the members of the legal profession:—Gentlemen advocates,—In opening this, the first District Court for the southern division of the colony, I would venture to express a hope that a fair trial will be given both to this court and to myself under the circumstances through which it has been instituted, and in which it has fallen to my lot to become its Judge. I entertain this hope for this court, because I know it owes its institution to the very necessities of this country, whose destitution of all means of local trial, for the cases now within my jurisdiction, forced upon the legislature the creation of some such tribunal; and although the particular system which has been at length adopted by the District Courts Act has met with opposition from persons of learning and influence, both in and out of Parliament, I trust that, for a time at least, they may be willing to say and to act upon the rule "*fieri non debet sed factum valeat.*" I entertain a hope for myself too that I may have a fair trial, for I know that I shall need it, as well from the anxious nature of my duties, as from the universally acknowledged impracticable extent of the district which has been assigned for my jurisdiction; and indeed if it were not for the confidence that I feel in the justice and the generosity of the public and of my profession, I do not know how I could dare to undertake the task that has been appointed to me. The history of that appointment is already published in the parliamentary paper upon the subject which has been lately printed by order of the Assembly: in this place, however, I do not desire to enter upon that matter; for whatever may have been my reluctance to lead what so many regard as a "folorn hope," and whatever may have been my wishes *before* my appointment, I can say that since I have been appointed I have been anxious to do everything in my power according to the best of my judgment to fulfil the duties that have devolved upon me. And I would offer these passages of my colonial life by way of assurance of my anxiety to discharge those duties. For nearly 20 years I have been a settled inhabitant of this country. Coming here without a friend that I had ever seen or known before, I maintained myself for five years by my own industry at the bar. For upwards of 12 years I held the office of Crown Prosecutor, always in all the Courts of Quarter Sessions for the colony, and occasionally in the Supreme Court. When I received that office it was obnoxious to a majority of the Legislature, and for a time it was a standing cry that it should be abolished. *Now* it is placed on a permanent footing with a fair and reasonable salary, and its duties are divided among three officers. The trustworthy, the trying nature of those duties, time may yet disclose to the colony. While I held that office, whatever may have been my other faults, I never was accused of want of zeal; and yet I could say, when I resigned it for the chairmanship, that no undefended man ever charged me with saying or doing anything to deprive him of a full and fair trial, and no member of my profession with whom I had had an acquaintance was less friendly towards me from my conduct of my prosecutions. For two years but lately I have held the office of chairman of Quarter Sessions, and, notwithstanding the opportunity for resolving cases into the Supreme Court, not one of my judgments that I remember was so reversed. In those fourteen years of continuous service in these offices, I could offer proofs that I discharged my duty in each without fear, favour, or affection, and indeed I never was charged with anything to the contrary that required an answer. It is therefore in the experience of the past that in my now coming trials I would venture to rest my expectations of the future."

Upon the first case in the list—Byrnes v. Hall—being called on, Mr. Scarvell, for the defendant, upon affidavit, applied to postpone the trial till the next sessions, on account of the unavoidable absence of the defendant. Mr. Walsh, for the plaintiff, applied for time to prepare an affidavit in reply, and the case was allowed to stand over for that purpose.

The case of Macdonald v. Martyn was then called on, and a jury, chosen by ballot from those summoned, was sworn.

Mr. Walsh appeared for the plaintiff.

Mr. Scarvell for the defendant.

Mr. Walsh stated that the plaint was for wrongful seizing and driving away and impounding the sheep of the plaintiff by the defendant, for which the plaintiff claimed £50 damages. There was a plea of justification filed by the defendant, alleging that the sheep were trespassing on the land of the defendant, and that for this cause they were, by him, lawfully impounded.

After stating the pleadings the *Goulburn Chronicle* reports that Mr. Walsh addressed the jury as follows:—Gentlemen, as this is the first jury case in this Court, it presents me an opportunity to congratulate you and the public at large upon the establishment of a judicature in which justice will be administered according to law at a moderate expense and at your own doors. As you have heard from his Honor, in his observations addressed to my learned friends, the necessities of the country forced such a judicature as this upon the colony, and while I congratulate you upon the establishment of this Court, I can also congratulate this district that its proceedings will be presided over by one in whom we can all have the utmost confidence. He is not unknown to us. Both in his capacity of Crown Prosecutor and Chairman of Quarter Sessions, we have observed the zeal, learning, and humanity with which he has always conducted the proceedings connected with those offices. I feel sincerely, and I am sure my learned friends concur with me, that no community can have the administration of justice placed in safer or more learned hands than those of his Honor.

In stating the case Mr. Walsh said, that he expected being enabled to prove to the jury that the sheep were not trespassing on the land of the defendant, but were, in fact, on the land of the plaintiff at the time they were seized; he said, however, that even if they were trespassing on the defendant's land, the defendant had no right by law to seize and to impound them because they were then in charge and under the control of their shepherd, and were, therefore, privileged from seizure for trespass: he said that distress for trespass was a relict of the feudal time; that the law would not sanction its enforcement whenever the property sought to be seized was in the use and under the charge and control of a person from whom it was sought to be taken, because such a course of proceeding would lead to a breach of the peace; that the remedy in such cases was by action for trespass; that in this case the impounding by the defendant was illegal and irregular, even if he had a right to distrain, for that he had not complied with the provisions of the Impounding Act by giving notice in writing to the poundkeeper, under 12th section of the 19th Vict. No. 36; so that he became a trespasser *ab initio*; that the whole character of the defendant's proceedings was unneighbourly, and that as it was but too common for large proprietors to pounce down on the small settlers in this way, he hoped the jury would give the plaintiff the moderate damages he had claimed, and so mark their sense of such proceedings.

Mr. Walsh cited several cases from reports and text writers in support of his arguments.

The evidence for the plaintiff was to the effect that the defendant and he occupied adjoining lands in the neighbourhood of Goulburn; that the plaintiff occupied some purchased land near where his sheep fed; that he used other land as vacant Crown land adjoining his purchased land, upon which also his sheep used to feed; that on the 2nd of April the plaintiff's shepherd had charge of a flock of about 520 sheep feeding on land in the vicinity of the plaintiff's hut; that while they were so feeding the defendant came with a stockman of his to the place, and said to the shepherd what are you doing with these sheep here? that the shepherd said am I wrong; that the defendant said you are, the sheep are on my run; that the shepherd said he was not more than twenty rods from the road; that the defendant said he would take the sheep to the pound, and that he then took them away; that the shepherd marked the place, and afterwards showed it to his master's surveyor; that the shepherd said he did not know whose land he was then on; that he had been warned by defendant about six months before not to bring his sheep trespassing on another part of the land; that after the impounding the plaintiff pointed out his run to the shepherd, and that according to the shepherd there were not more than twenty of the sheep out of that run at the time of the seizure; that the defendant put the sheep in a public pound about seven miles from the run on that day; that he told their number and whose they were, and that they were trespassing on his run, but that he gave no memorandum in writing; that the plaintiff's son afterwards released the sheep, and paid £7 2s. 4d. damages and charges on them.

For the plaintiff, there was the evidence also of a surveyor, offered to prove the boundaries and ownership of the land, but as he could only speak of the boundaries and lines from surveys made by him from points taken from Government maps, which were not produced, and of the accuracy of which he could not speak, from his own testing of them by survey, this evidence being objected to, was not further pressed. A map of the lands was produced, which the surveyor said was accurate, but no other proof of ownership of the land was offered on the part of the plaintiff.

Mr. Scarvell, upon this evidence, submitted that the plaintiff must be nonsuited, because there was no proof that the sheep was not trespassing, and were not lawfully impounded.

The Judge said, there was evidence of an occupation of the land by the plaintiff's sheep, and so of a possession of it by him, and that it was for the defendant to justify his impounding of them, as trespassing on his land.

Mr. Scarvell then addressed the jury for the defendant. He said, there was no lawful possession or ownership of the land proved for the plaintiff; that he would prove that the land on which the seizure took place, was the land of the defendant, of which he was the rightful occupant; that he was, therefore, justified by law in impounding the sheep for trespass upon it; that squatters, in such cases, were in the habit of so impounding for trespass; that they were not to be driven to actions of trespass against persons who might possibly be paupers; that no memorandum in writing was required for the defendant by the Impounding Act, for that he had given sufficient particulars to the poundkeeper, to enable him to make up his book, and that was all that was required from the defendant. That the law, as cited for the plaintiff, did not apply to this colony, and that the jury ought not to be led away by the arguments for the plaintiff.

For the defendant evidence was then offered to this effect. The defendant said he was the occupant of land at Richlands, near which the seizure took place. At first he said he *rented* the leased land he held from the Crown, but afterwards he explained by saying that he leased their purchased land at Richlands from the Messrs. Macarthur, and that he held the leased Crown land adjoining that purchased land *from them as their agent*; that he found the sheep of the plaintiff on the day in question, on a section of the Crown land which he (the defendant) had so held. That he told the shepherd they were trespassing on his land, and that he ordered his stockman to take them to the pound, and that they were so taken there accordingly. That the plaintiff's shepherd accompanied him for about half a mile with the sheep. That he (the defendant) gave some directions to the poundkeeper about the sheep. That the plaintiff has spots of land all over the adjoining country. That he (the defendant) knew the boundaries, from being present at a survey of them by the Government surveyor, and that he knew the land from maps of them at the Surveyor-General's Office.

The stockman said he had been on the farm for nineteen years, and that the sheep seized were inside of a line that had been marked for the defendant a few days before the trial.

Mr. Walsh addressed the jury in reply. He said it was the case of the large squatters against the small settlers; that there was no proof that the sheep of the plaintiff, or all of them, were trespassing on land to which the defendant had any lawful title; that, by the Orders in Council, the license to depasture was not assignable, and that the occupation of the defendant by the license granted to the Messrs. Macarthur was illegal and void, and that that accounted for the discrepancy in the defendant's evidence on that point; that there was no actual and no lawful occupation of the land by the defendant, no proof that his cattle ever fed over it, and the line was only marked on the land a few days before the trial; that still, even if the land was the defendant's, the seizure of the sheep was unlawful, and the impounding was unlawful, because of the shepherd's charge of them at the time of the seizure, and because of the noncompliance with the provisions of the Impounding Act by the defendant in the impounding. He called upon the jury to give the plaintiff the full amount of the damages he claimed.

The Judge, in charging the jury, said that the case was a very important one, in his estimation, and was deserving of the fullest and fair consideration of the jury.

He said that, as to the seizing and impounding of the sheep, they were both admitted and proved. The question then came, was that lawful on the part of the defendant, as he had endeavoured to justify it? Upon this question the first point for enquiry was as to the occupation of the land before the seizure; he thought it would lie upon the defendant to prove his occupation of the land rightfully against the plaintiff. The proof upon this point was not, perhaps, altogether satisfactory, depending somewhat upon surveys and maps not properly authenticated, but then there was a positive statement of the defendant that the land was rented as he explained, from the Crown, by the Messrs. Macarthur, and if they believed that statement, he thought they would be justified in concluding against the plaintiff that the land was rightfully in the occupation of the defendant, just as if they were trying the case against the Messrs. Macarthur in that respect; if they were disposed to find for the defendant upon that point, then would come the other points as to whether the defendant would be justified in seizing the sheep while in charge of a shepherd, and whether his violation of the requirement about the memorandum to the poundkeeper would make him liable as a trespasser, even although the land was rightfully in his occupation. Upon those two points the Judge said he thought the law was correctly stated by the learned advocate for the plaintiff, though he acknowledged that he laboured under a sense of anxiety in having to determine such points in the course of such a trial. If the jury were not satisfied as to the defendant's occupation of the land as against the plaintiff, and if they thought upon the evidence that the sheep were on the plaintiff's land at the time of their seizure by the defendant, they would have, in that event, to find for the plaintiff. As to the question of damages he advised the jury to consider whether the defendant appeared to them to have been acting in the exercise of a legal remedy to which he and possibly others believed themselves entitled, and whether they thought his conduct was the result of any wanton disposition to injure the plaintiff or his property.

He recommended them to determine these questions without being influenced by any undue feeling against either party.

The jury, after a short retirement to their jury-room, found a verdict for the plaintiff, damages £50.

M'LEOD V. DAVOREN.

This was an action of trover for a bull; damages laid at £40.

Mr. Walsh for the plaintiff; Messrs. Gannon and Scarvell for the defendant.

The evidence for the plaintiff was that the bull was a very handsome Durham bred bull that had been sold for £50 by the plaintiff, to be delivered at the Darling, but that had never been delivered there, having before delivery, come back to his run, near Collector, where the defendant lived; he had been bought by the plaintiff for eleven guineas, nearly two years before, from a person of the name of Waddell; he was branded with the brand of the Rev. Robert Cartwright, which was well known in that district; he was a tame bull; he was only worth in that neighbourhood, the price that was paid for him. The defendant before the action had acknowledged to the plaintiff to have him in his possession, and had refused to deliver him to the plaintiff. There was also evidence that the bull was seen in the possession of the defendant after he had been sold to the plaintiff; that the defendant took him out of Waddell's paddocks, where he was troublesome to Waddell, after the sale to the plaintiff, and that he was then castrated. The plaintiff said that he was often away from home.

Upon this evidence, Mr. Scarvell submitted that the plaintiff must be nonsuited, as there was no evidence of a conversion of the bull by the defendant.

The Judge said there was evidence of a conversion in the demand and refusal by the defendant to deliver the bull to the plaintiff.

Mr. Scarvell then relied upon the defendant's title by a purchase of the bull at a pound sale.

For the defendant, evidence was offered by himself that he had bought the bull of one Scott for 12s.; that Scott had bought him at a pound sale, on the same day, for 8s.; that he was afterwards on that day castrated, and was subsequently worked by the defendant and was dead then. The defendant admitted that he knew to whom the bull had belonged before the pound sale; that he had sent no notice to the plaintiff about the impounding of the bull before the sale; that he (the defendant) had himself impounded the bull, and knew he could not, therefore, by law himself purchase him at the pound sale. The defendant said that he had had no conversation with Scott about the sale at the pound before it took place.

The poundkeeper proved the sale, and it was admitted by the plaintiff to have been regular, but it was urged that the defendant's purchase was only colourable, and was fraudulent as against the plaintiff, and was, therefore, void.

For the plaintiff to rebut the defendant's case the evidence of Scott was tendered; he appeared, on coming into Court, to have been drinking, and was said to be so drunk that he could not be sworn.

The Judge himself examined Scott to ascertain his fitness to be sworn, and after this examination he said that though the witness had come into Court in an improper state, yet as he appeared to know what he was saying and doing he could not refuse his evidence if it were tendered, he at the same time severely rebuked the witness for appearing in Court in such a state.

The witness was then sworn, and stated that by an engagement between them before the sale he bought the bull at the defendant's instance and for the defendant, and that he sold him to the defendant, merely charging him for the time he had lost in attending the sale; that there was drink "going on" at the defendant's, who was then a publican at Collector; that he (Scott) was then a hired servant to the defendant, cutting timber for him, and that the bull was castrated by the defendant's order, and was then honestly worth £10 to any man as a working bullock.

The advocates on each side having addressed the Judge, he said that the whole transaction was most discreditable on the part of the defendant as a neighbour and a fair dealing man; that although he could not say that the defendant had in all things laid himself open to the charge of cattle stealing, he had known cases of pretended pound purchases having before this brought such purchasers into a criminal court on such charges, and that he himself always thought that such dealings were of a very dangerous and questionable character. He believed the sale was fraudulent and void, and therefore he found a verdict for the plaintiff; damages £10.

Thursday, June 2nd.

BYRNES V. HALL.

This was an action for malicious prosecution and false imprisonment of the plaintiff by the defendant. Mr. Scarvell, for the defendant, now renewed his motion to postpone the trial till the next sittings of the Court, upon the affidavit of Mr. Gannon, the attorney for the defendant. He said it was an action for a malicious prosecution and false imprisonment of the plaintiff by the defendant, in which the damages was laid at £200—that the summons was served on the defendant at a time when he had made arrangements to proceed to Sydney on business, upon which he was obliged to proceed on the following day—that he had sent instructions by letter to his attorney, and desired to know from him by letter if his presence would be required at the trial; that he said if it would be required he would come to the trial; that a letter in reply to this had been written to the defendant in triplicate to Camden, Campbelltown, and Homebush, telling him his presence would be required, that to this letter no answer had been received as yet, and that the letter had probably not been received by the defendant up to that time, and that it would not be wise or prudent for the defendant to allow the trial to proceed in his absence.

Mr. Walsh, for the plaintiff, submitted that the defendant had not taken proper precautions in preparing for his defence, and in being present at the trial, and that in fact he was away, not on business, but on sport, at the Homebush races; that the defendant lived within twenty-five miles of the Court, and that the plaintiff lived 270 miles from Goulburn; that there were no dates given to the correspondence referred to in the affidavit for the defendant, and that the application ought therefore to be refused with costs.

Mr. Scarvell, in reply, said that the defendant was a breeder of horses for racing, and that he had gone down to Homebush to run his horses, on business, not on pleasure.

The Judge said that if it had been shown to him, or if he could conclude that the defendant had gone to Homebush or elsewhere to see races or for pleasure, he would not hesitate to proceed with the trial in his absence, but if the defendant bred horses, and had gone to run them, he thought that was a legitimate business which might excuse his absence on account of his inability to postpone it or perhaps to entrust its performance to any other person. He could not say that the defendant had used great diligence in preparing for his defence, yet looking to the time of the service of the summons he could not say that he might not have been forced by his engagements to absent himself from the Court, and, considering the nature of the action, it might be that the defence would be entirely dependant on the evidence of the defendant himself to show and justify the circumstances under which he had caused the arrest and imprisonment of the plaintiff, so that the trial could not possibly be in any way satisfactory without his presence. Under the circumstances he would order the postponement of the trial on payment by the defendant of the costs of the day and of the attendance of the plaintiff and of his witnesses.

The trial was accordingly upon these terms postponed, and there being no other jury case the jury were discharged.

STEWART V. BEATTIE.

This was an action for money lent and for goods sold and delivered by the plaintiff to the defendant.

The parties in this case were connected with each other by marriage, and had formerly been mates in an expedition to the Southern Gold-fields; they were now, however, residents at Goulburn. The claim of the plaintiff in reality amounted to £120 11s. 6d. There was a set off filed for the defendant which exceeded this sum, and there was a great deal of contradictory evidence in the investigation of each matter.

Mr. Walsh appeared for the plaintiff; and Messrs. Gannon and Scarvell for the defendant.

Both parties were examined, and after a full hearing the judge found a verdict for the plaintiff for £94 10s. 9d.

GIBSON V. MERRILL AND BOLLARD.

Mr. Walsh appeared for the plaintiff, and said it was a plaint filed, under the 19th section of the District Courts Act, against the defendants for neglecting and refusing to give possession of land held by them at Veteran's Flats form the plaintiff, as tenants at will, though the tenancy was determined by demand of possession.

It was stated by Mr. Walsh that one hundred acres of land had been granted by the Crown to a person named Sugden at Veteran's Flat. Sugden sold this land to the late Mr. Gibson, who allowed Sugden's widow to hold fifty acres of it after her husband's death, as his tenant at will; she had afterwards married the defendant Merrill, who had then occupied the land with her. The defendant Bollard claimed the land as husband of the heiress of Sugden, and applied to postpone the trial, on the ground that he was unprepared for his defence, as he could not obtain, in time, the possession of certain deeds, which he had forwarded to Sydney to his solicitor, Mr. Hellyer. Mr. Walsh objected to the postponement, and applied to strike out Bollard's name as a defendant, so that he could proceed against Merrill alone,—the party against whom the proceeding was really being taken. The Judge ordered this to be done accordingly, and the case then proceeded, in the presence and hearing of both Merrill and Bollard.

A paper was then proved and read, by which Merrill and his wife, on 26th April, 1858, acknowledged themselves to be tenants at will to Mrs. Gibson of this land, and a subsequent demand and refusal of this possession was proved.

Merrill offered no objection to the proceeding on the part of the plaintiff, but he said that the paper was signed on an occasion when Mrs. Merrill was supposed to be dying.

Mr. Walsh explained that the original arrangement with Mrs. Sugden—now Mrs. Merrill—was, that she was to have the fifty acres without rent during her life, but that as no precaution had been taken to show the nature of Mrs. Sugden's holding, the proceeding before the Court became necessary to stop the operation of the Statute of Limitations, and to remove Bollard from the land, of which he also had lately taken some possession.

The position of the Merrills would not be prejudiced by Mrs. Gibson's title being established; and as to Bollard, if he had really any title, he could bring his action to assert it.

Mr. Walsh said he would submit Mrs. Gibson's title to the inspection of any solicitor on behalf of Bollard, and he would venture to say that it was quite plain that Bollard had no title whatever.

Merrill said he had nothing to say why he should not give up the possession to Mrs. Gibson, if she required it.

The Judge then explained to Bollard how he should have to adjudicate in the matter, and, in making an order for possession of the premises to the plaintiff, he directed that the possession should not be given till the 15th of the month, so as to enable Bollard to communicate with a solicitor, if he thought proper.

BRADY V. JACOBS.

In this case, the plaintiff claimed from the defendant the sum of £3, as a balance of money due for work performed by him for the defendant, according to agreement between them.

The plaintiff appeared in person; Mr. Walsh appeared for the defendant.

According to the plaintiff's statement and evidence, he had been employed by the defendant to sell for him some twenty-seven acres of land within about five miles of Goulburn, and for this business he was to receive £5 by way of compensation for his trouble from the defendant. The plaintiff said that the defendant said to him, in reference to the price of the land, that he thought he ought to get £100 for it; but that afterwards the defendant agreed to sell it, and did sell it through the plaintiff, *for* £60. The plaintiff said he had had a good deal of trouble to find the land, and had to write to the Crown Lands Office about it, and had to find a purchaser, and to point out the land to him; that, after the sale he had applied to the defendant for the £5, but that the defendant had refused to give it, and, instead of giving him that sum, had given him £2, which he received from the defendant on account, telling him at the time that he would claim and would enforce the balance of the £5 against him.

The purchaser of the land confirmed the account given by the plaintiff as to the negociations for the purchase, and stated also that, after the sale, the defendant told him that, as he had not received the £100 as he had expected for the land, he would not pay the plaintiff the £5 he had agreed to give him if he got that sum.

Mr. Walsh, for the defendant, argued that the plaintiff's account of the matter was improbable, and he would put the defendant's account to contradict it.

The defendant said that he employed the plaintiff to sell the land, and told him that if he got £100 for it he would give him £5, and that afterwards when the land only sold for £60 he gave him £2 in mercy towards him, and that he told him he would not bother about selling the land for £60 if the plaintiff did not agree to take the £2, and that he so took it.

The defendant admitted that he had paid the £2 to the plaintiff, *after* the deposit had been paid to him by the purchaser.

An auctioneer, a witness for the defendant, proved that the usual charge as commission on the sale of land up to £100 was five per cent.

The Judge said that the payment which had been made to the plaintiff by the defendant was not equal to a payment of five per cent., and was not, therefore, made according to that rate. That there was no evidence offered by the defendant to show that he had ever spoken to the plaintiff about paying him at that rate, or that *before* the sale was completed he had ever proposed any reduction of the £5 originally promised by him to the plaintiff. Upon the evidence before him he was of opinion that the plaintiff's story was the more probable, and he would therefore find a verdict for the plaintiff for £3.

WARD V. LARKINS.

This was an action for £8, for board and lodging supplied to the defendant by the plaintiff. The defendant did not appear. The plaintiff stated that the debt was contracted at Goulburn before the District Courts Act came into operation, and that the defendant had since then removed to Bowning, near Yass. The plaintiff said that he himself had been always in the habit of paying his debts but that the defendant instead of following that example had got married and left his debts unpaid, and that was the reason why he (the plaintiff) was determined if he could to make him pay.

The Judge said that the Court at Goulburn had no jurisdiction. The Registrar said that he had told the plaintiff so before he had obtained the plaint from him. The Judge said that, without advising the plaintiff to apply to the *Small Debts Court* at Goulburn, he believed that *that* Court had jurisdiction in the matter. The plaintiff thanked the Judge, and withdrew.

Friday, June 3.

CARTER V. GREIG.

The plaintiff sued the defendant for £1 6s., the balance of the price of a load of hay sold by plaintiff to the defendant. The plaintiff appeared in person, Mr. Walsh appeared for the defendant. When the plaintiff had stated his claim, Mr. Walsh, for the defendant, admitted the purchase of the plaintiff's hay, but said that the defendant alleged that he sold a horse for the plaintiff for £20, by direction of the plaintiff's wife, and that he afterwards paid the plaintiff for the hay, partly in cash, and partly by deducting his commission of one shilling in the pound for the sale of the horse, and that he had the plaintiff's receipt for the price of the hay in these terms.

The plaintiff admitted the sale of the horse to a person named Church for £20, but he denied that the sale was made by the defendant or by the request of his (the plaintiff's) wife to the defendant.

The receipt of the plaintiff according to the effect stated by the defendant, and signed by the plaintiff's mark, was proved by a person who had witnessed it.

The plaintiff said he put his mark to the paper, and took the money, objecting to the charges for the rate of the horse, and intending to dispute it.

The defendant's clerk, and the defendant himself positively proved the instructions from the plaintiff's wife to the defendant to sell the horse, and the subsequent sale of the horse by the defendant to Church in pursuance of those instructions.

The Judge said that, in the absence of Church, upon the evidence before him, he must find a verdict for the defendant.

GREIG V. RUSSELL.

This was an action for goods sold and delivered, by the plaintiff to the defendant, to the value of £37 14s.

Mr. Walsh appeared for the plaintiff; Mr. Gannon for the defendant.

Upon the examination of the plaintiff and the defendant, the debt was proved, but a set off was also established to the extent of £25 10s. 7½d., and a verdict was found by the Judge for £12 3s. 4½d. for the plaintiff.

DOWNES V. MAIDMENT AND O'LEARY.

This was action of trespass for an illegal distress for rent.

Mr. Walsh appeared for the plaintiff; Mr. Waring for the defendant.

There were five counts, varying the statement of the cause of action; the damages were laid at £20. There was no plea filed, and Mr. Waring said that the defence was that there had been no distress made.

Mr. Walsh stated that the action was brought against the defendants for violating the provisions of the Act of the 15th of Vic., No. 11, regulating in this colony distresses for rent. The defendants had assumed to make a distress for rent on behalf of a person named Hines, without having been authorised by a warrant under his hand to distrain contrary to the provisions of the 1st section of the Act, and they had also failed to deliver to the plaintiff any copy of any such warrant at the time of making the distress according to the 2nd section of the same Act.

He said he would prove the distress by the admission of O'Leary, under his own hand, and also by the evidence of the plaintiff. He said that the distress was assumed to be made on behalf of Hines in this way. The plaintiff rented the land in question at Bungonia, from Hines, who also rented a cottage from the plaintiff, at Goulburn. In May the plaintiff would owe Hines about £8 for rent of the land, but before May, Hines owned the plaintiff £12 for the cottage. In March, the plaintiff had received £20 from the defendant, Maidment, and had signed a paper at that time, agreeing to give up possession of the land to Maidment on the 15th of May, Maidment having purchased the land from Hines, and it being agreed between them that the plaintiff was to receive £20 for giving up its possession at that time. Hines, however, before May removed from Goulburn to Cooma, leaving *his* rent, £12, for the cottage unpaid to the plaintiff, and it was therefore that the claim of the defendant against the plaintiff for £8 was not only informal but unjust.

The plaintiff proved that the defendants came together to his premises on the 2nd of May; that the defendant O'Leary, who was a bailiff, seized upon several of his goods in the house and about it; that he said if he did not get the rent he would sell the goods; that his charge for that day against the plaintiff would be £1, and after that day it would be 10s. a-day; that he (the plaintiff) was thereupon frightened, and paid the bailiff £5 and a ton of potatoes, valued at £3, which the defendant (Maidment) received from the bailiff, and removed with him from the premises. O'Leary, the bailiff, then made out a paper writing, which he gave to the plaintiff, by whom it was produced.

The plaintiff, upon his examination, admitted that some paper was shown to him by the defendant, when he came demanding the rent; that he had received the £20 in March, but that he had not been asked to allow the £8 to the defendant Maidment out of it, though O'Leary did say outside of the door where the £20 was paid, "now is the time for Maidment to demand the rent;" he said no demand for rent was made till they came in May and distrained.

The paper produced by the plaintiff, as the only one he had received from the defendants, was then put in, and it purported to be a rough inventory signed by O'Leary, stating the cause of the distress, the amount that was due, and that was paid together with the charges of the distress.

Mr. Waring, for the defendants, said that the plaintiff had agreed to pay the rent to Maidment for Hines; that the defendants only demanded that rent, and that though they may have threatened to distrain, they did not actually distrain, because the plaintiff had paid before the distress was made.

The defendants were then examined.

O'Leary said that he went to the plaintiffs on the 2nd of May with a paper, which he produced, to the plaintiff, who said he had seen it many times and would not take it; he then read the paper for the plaintiff, who said it was all humbug; that he then told the plaintiff he had come for the purpose of distraining for rent due by him to Maidment; that the plaintiff said he knew the rent was due, but that there was more rent due to him from Hines; that he then said he would take an inventory of what they had, and that he was in the act of taking it when the plaintiff came in and said he would settle it, and that the plaintiff then gave him the money and the potatoes. On cross-examination, the witness said that he told plaintiff he would take the goods to Goulburn to sell; that he had no written authority on his own account to make a distress; that the paper he had was signed by Hines, and that he himself was brought there to make the distress for Maidment.

The paper which the witness produced was dated in February, and was some kind of authority from Hines to demand rent from the plaintiff. Maidment said that he bought Hines' interest in the land, and that he went with O'Leary to the plaintiff's to demand the rent due to Hines; that he produced the paper signed by Hines, and read it to the plaintiff; that O'Leary spoke to the plaintiff, and that he then agreed to pay the rent, and did pay it.

Mr. Walsh, for the plaintiff, submitted that the defendants, by their own handwriting in the inventory and distress paper were, as it were, estopped from denying the fact of the distress, and that their proceedings in that distress were plainly not only illegal but unjust, and that, with a full knowledge of the plaintiff's claim against Hines.

The Judge said he thought the distress was made, and was illegal in not complying with the statute, and he then enquired of Mr. Walsh how he proposed to estimate the damages?

Mr. Walsh said that, although by the 19th section of the Act in certain cases there mentioned, double the value of the goods distrained was made the measure of the damages, yet, he thought that, considering the claims of the plaintiff and Hines, as they now stood against each other, £12 would be a fair assessment against the defendants.

The Judge said he was of that opinion, and he found a verdict for the plaintiff; damages, £12.

Upon this verdict being pronounced, O'Leary complained that he had been brought into the case without knowing or intending to do any wrong to the plaintiff, and that he hoped the Judge would relieve him.

The Judge said that no man could shelter himself from the consequences of doing wrong by saying he did not know he was doing wrong, or he was doing it for another.

CARR V. DAVIES.

This was an action for money paid by the plaintiff for the use of the defendant, for a bullock hired and detained by the defendant from the plaintiff, and for the use of a team of the plaintiff's property.

Mr. Walsh appeared for the plaintiff; Mr. Waring for the defendant.

The plaintiff claimed £15 11s. 4d., and the defendant pleaded a set-off to the amount of £11 6s.

The parties and witnesses on either side were examined at some length, and finally the Judge found a verdict for the plaintiff for £3 12s. 10d., which, with costs, were, by consent of the plaintiff, ordered to be paid by fixed instalments at three periods.

Saturday, June 4.

CAROLAN V. WRIGHT.

In this case the plaint contained two counts; one was for converting a horse of the plaintiff's to the use of the defendant, and so depriving the plaintiff of it; the other was for the wrongful detaining of the horse of the plaintiff by the defendant; the damages was laid at £30.

Mr. Gannon appeared for the plaintiff; Mr. Walsh for the defendant.

Mr. Gannon stated that the plaintiff had taken proceedings before the magistrates to recover possession of the horse from the defendant, but that those proceedings having been fruitless, he had been compelled to bring this action in this Court. The demand and refusal of the defendant to deliver the horse to the plaintiff were admitted on behalf of the defendant.

The plaintiff, who was an old man, and a farmer living at a place called Taradale, said that he had had a horse foal which was foaled by a mare of his in the year 1855, which remained about his place till December, 1857; that he afterwards saw him at another place, at some distance from his own run, in March, 1858, with his tail pulled, and castrated, and that in December, 1858, he saw him in the possession of the defendant and claimed him, but that defendant said he had bought him from another person, and that he was his property.

The plaintiff said that he himself bought the mare, and that when the foal was about nine months old, and was running with his mother, he and another man attempted to put a brand on it, by making "a stick" at it with a branding iron as it stood by the side of its mother; the brand on the iron was L C, but the L did not show, it was only the C that showed; he said the horse was a bay, with a star in the forehead, and the near hind fetlock white; a remarkable horse, that he would know among a thousand horses; he said that when he saw the horse with the defendant there was a J B brand, skotched, put over his brand, but that he could see the top of the C still on it; he said he brought a man named Peckham to see the horse when it was in the defendant's possession, and that Peckham said it was the plaintiff's horse, and was four years old, but that defendant said it was five years old, and that he bought it from a man named Kenedy.

The witness said that the L on the brand stood for his brother's name; that the horse was as much his brother's as his own; that they lived together, and that he would give the horse to his brother if he wanted him.

Mr. Walsh objected that this was proof of a joint property, and that the brother was not made a co-plaintiff.

The Judge said it did not appear to him to be proof of a joint property, or of a gift, but only of a willingness on the part of the plaintiff to give the horse or anything he had to his brother, if the latter wanted it.

Peckham was examined to confirm the plaintiff's statement; he described the horse which he said he knew from its foaling, as the plaintiff had described it. He said that when they made the "stick" with the branding iron the L did not show beyond a hair mark; that there was a resemblance of a C, but not clear afterwards; that when he saw the horse in the possession of the defendant he saw a JB brand but no C on it; that he knew the horse for two years running at his place, and that when he saw it with the defendant it was four years old only. He said he knew the horse by his make and appearance, and he was worth about £25.

For the defendant evidence was offered by persons named Byrnes and Morison, and by himself.

Byrnes said he had bought the horse, which he afterwards saw with Wright, a yearling as he supposed; it was then unbranded, and suckling its mother. He bought it in 1855, from a person named Grovenor, at Gunning, and sold it in 1857 to a person named Kenedy: there was no letter C on it; he put the JB brand on it, which was small and plain. He said there was a white spot about the size of a half-crown on the off side of the horse under the belly, when he bought him, which was quite plain and was on when he sold him to Kenedy. He said he had a receipt which he got with the horse from Grovenor, and he tendered it to the plaintiff's advocate, but it was not received by him.

Morrison said that he brought the horse to Mr. Murray the magistrate at Collector, to be examined, and that upon stroking the horse down there he could see a JB brand faintly appearing but no C or part of C that he could observe; he said he afterwards washed the horse at the defendant's, and could see no brand of C on him. The defendant said that he bought the horse in December, 1858, and sold him in May last, in Goulburn, after he was claimed by the plaintiff; that he was worth about £10; that he shaved him when he bought him, and saw no brand but JB then on him; that he offered to give him up to the plaintiff if any sign of a C brand could be discovered on him, and that he had the white mark under the belly, spoken of by Byrnes, which could be plainly seen.

After the advocates had addressed the Court, the Judge said, that his great difficulty in this case arose from the nonproduction of the horse, and from the insufficient examination which had been made of him, after he had been claimed by the plaintiff; he said, there were mistakes at times made about brands, and he mentioned two instances which, in cases of cattle stealing, had come before him when Chairman. One was at Maitland, where two witnesses spoke of a brand having been upon a horse, at a particular time, when he was in their possession, and of its being then upon him, with some other brand placed over it, as he stood in the broad day, in the yard of the Court-room; the jury upon this evidence all went out to see and examine the horse, and they came back and said to the Court, that they had seen and examined the horse, and had even wet his hide, and they could see no such brand on him, and they said they were sure there was no such brand to be seen on him; the witnesses, upon looking again at the horse, persisted in saying it was on the horse, and they could see and trace it; upon this a person in Court offered to the Court to shave the horse, over where the brand was said to be, and not to be; his offer was accepted; he at once shaved the horse, and instantly upon seeing him the jury all acknowledged that the brand was quite plainly to be seen as the witnesses had described it; upon this proof they found the prisoner guilty. The other instance was at Parramatta, where a witness said that a brand was on a bullock's hide, then produced in Court, but upon examining and washing it the jury said they could see no brand, and upon shaving it no brand was to be seen at all. The Judge said that to him the question as to the particular brand being legible on a beast or on a hide was sometimes a question of some difficulty. If in the case before him the horse had been shaved *after* he was claimed and said to have had a C brand on him, and no brand of a C was to be discovered on him, the case of the plaintiff would have been much weakened. As it was he could see nothing remarkable about the description which the plaintiff and his witness gave of the horse, except the brand, and neither of them pretended to say that they claimed the horse by anything beyond his general appearance, and that appearance at four years old, in his opinion might have very much altered from what the horse was when they last saw him a two-year old. If the defendant's evidence was true there was moreover a mark of a peculiar kind, as the defendant's witnesses described it, on the horse of which the plaintiff's witnesses said nothing, and which did not therefore agree with their description of their horse. The plaintiff, to take the property out of the defendant's possession, ought to make out a stronger proof of his ownership than that made out by the defendant, and as he thought that the plaintiff had not done this he found a verdict for the defendant.

CARROLL V. LAMB

This was an action for the price of cattle sold and delivered by the plaintiff to the defendant, in which the plaintiff claimed £139 10s.

Mr. Walsh appeared for the plaintiff; Mr. Gannon for the defendant.

The plaintiff bought a quantity of cattle, the property of one Smith Hall through an auctioneer in Goulburn, named Greig, at a certain price, and being himself unable to dispose of them all, he agreed with the defendant to take half of them from him at that price. There were 57 head killed in this manner, and it was therefore for 28½ head that the defendant was sued. The plaintiff acknowledged to have received £25 from the defendant on account. The cattle were killed in lots as they were required for consumption in Goulburn. The plaintiff said that his agreement with the defendant was that he was to have no money till the cattle were killed. On cross-examination he said that all the cattle were not yet killed, and on re-examination he said that the auctioneer had refused to deliver any more of them to him, and that the payment which the defendant had made to him was made after one or two lots had been killed.

A witness named Beatie, a tanner, said that he remembered having had an agreement with the plaintiff and defendant, that he was to receive from them the hides of Smith Hall's cattle; and that he did receive from them 57 hides of those cattle, and that he had paid each of them for 28½ of those hides.

The plaintiff was cross-examined at some length, and denied positively having received any more money than £25 from the defendant on account of this dealing.

Mr. Gannon submitted that the agreement proved was, that the cattle were not to be paid for till *all* were killed, and that as they had not been all killed, the agreement on the part of the plaintiff was not completed, and could not therefore be sued on by him.

Mr. Walsh submitted that the contract was rescinded by the refusal of the auctioneer to deliver any more of the cattle, and that it was capable of division so as to make the defendant liable for each head of cattle as it was killed, and for this he cited Smith's Leading Cases, vol. ii, p. 13.

The Judge recalled the plaintiff, and required him to repeat the exact words of his agreement with the defendant. The plaintiff said that, in the slaughter-house, where there were then some thirteen or fourteen head of the cattle, he said to the defendant "I will give half of these cattle to any butcher that will take them, and will ask no money till after they are killed, or according as they are killed." The plaintiff also said that there was nothing then said of the number of the cattle; that that lot was then killed and divided between them; that another lot of about the same number was afterwards brought in and similarly divided, and that in about two months after the agreement, and after the division of these lots, he asked the defendant for payment, and received from him the payment of the £25 of which he had spoken.

The Judge, upon this evidence, said he was of opinion that the true construction of the agreement was that, although the cattle were not to be paid for till they were killed, the defendant was liable to pay for them as they were killed, and that the parties themselves had appeared to have so construed their agreement, when the plaintiff demanded and the defendant made payment for some of them even before the greater part of them had been killed. He, therefore, refused to nonsuit the plaintiff.

The defendant, his wife, Garrett, Hobly, and Greig—the auctioneers—were examined for the defence.

The defendant said that, at the time of his agreement with the plaintiff, the latter said "I'll not ask for payment till all are killed" that he had paid to the plaintiff different sums at different times on account of the cattle, and that those sums amounted to £150 in all; that he had made an entry of such payment at the time of payment, in a book which he produced, and which was a rough book that he kept of his dealings with his customers; that he told Greig that he owed Carroll £57 10s., that he afterwards paid him £25, and that he told him he had a set-off against the plaintiff. On cross-examination he persisted in saying that he made the entries from time to time, and not at one time; he said that the plaintiff was constantly coming to him for money for the cattle, and that during the period of their being killed the plaintiff was often so much under the influence of liquor that for days he could not do anything in the way of business.

Garrett gave some evidence of one payment of £35 to the plaintiff by the defendant. The wife of the defendant gave evidence of different payments by her husband to the plaintiff, and she said her husband always put down the different payments in the book as he made them.

Greig said that the plaintiff had at one time told him, in making a payment of £84 on account of the cattle, that £34 of it was paid to him by the defendant, that the defendant in his presence agreed to owe the plaintiff £57 10s. in all: that he said nothing about a set-off, and that he afterwards paid £25 to him on account of the cattle.

Hobly said that he heard the plaintiff and defendant on one occasion speaking together, and that he heard the defendant then say, "If I take these cattle, I'll pay for one lot before I take the other."

After hearing the address of the advocates, the Judge said that, considering the payment of £34 which was proved by Greig to have been admitted by the plaintiff as having been received by him from the defendant, although in the Court he had positively denied having received from the defendant any money beyond £25, he could not avoid coming to the conclusion that it would be unjust to the defendant to charge him with a debt according to the plaintiff's account of it, especially when the plaintiff was proved to have been such a victim to intemperance during their dealings, and considering the statements of the defendant about the entries in the book which he and his wife said were made from time to time, and which to every man's observation could plainly appear to have been all made at the one time, with the one pen and one ink as one entry; considering too, his statements about the time agreed on for the payment of the cattle as contrasted with his witness's account of his intentions, and with his actual conduct in the matter in paying for them as each lot was killed, he was forced to feel that it would be equally unjust to the plaintiff to rely on such evidence to discharge his debt, he would therefore turn to the evidence of Greig, and rest his judgment upon that evidence as given by a man having no apparent interest against either party, and having a perfect knowledge of the matter about which he spoke. If his verdict were wrong towards either party, he thought each of them was well subject to blame, the one for his intoxication and his probable forgetfulness, the other for his palpable misstatements possibly to make out that to be right which he believed to be right, though such a kind of misstatement was in truth and in law nothing short of perjury. His verdict was for the plaintiff for £32 10s., the balance of the £57 10s. admitted to Greig after giving the defendant credit for £25.

Monday, June 6.

M'DONALD V. MARTYN.

In this case Mr. Scarvell, for the defendant, moved, under the 106th rule of Court, that the notice of motion for a new trial, in this case, which had been given by the defendant, should operate as a stay of proceedings in this cause, until the new trial motion was disposed of.

Mr. Walsh being present in Court, the Judge enquired if he wished to say anything in the matter.

Mr. Scarvell said that it was an *ex parte* motion that might be made in Chambers, and that was made without any notice to the plaintiff.

The Judge said that, as he thought a discretionary power was given to him to grant or refuse the motion, he would wish to hear anything that might be offered on behalf of the plaintiff against it; and he added that he felt bound to say that he had a great objection to granting new trials, unless upon good cause, and that in this case, at present, he did not think he would grant a new trial on the ground of the damages being excessive.

Mr. Walsh said that he did not want to say anything on the motion: he would neither consent nor object: the defendant might take the order at his peril.

The Judge said he thought the matters of law that were involved in the case were of great importance, and could be much better raised and determined by an appeal to the Supreme Court than by a new trial at that Court.

Mr. Scarvell said he had considered the matter, and he would prefer taking the course he had proposed.

The Judge made the order accordingly, and the Court adjourned finally.

At these sittings there was one case referred, by consent of the parties, to the arbitration of the Registrar after it had been entered upon by the Judge, and had appeared to be entirely a matter of account. In those cases where the defendants did not appear, strict proof was required of the service of the summons and of the residence of the defendants, before the case was allowed to be heard. In all cases the Judge said he would endeavour to give the reasons for his judgment before pronouncing it, because, although he was not obliged by law to do this, and although it might increase his trouble and responsibility, he thought it would make the proceedings of the Court more intelligible, and, therefore, more satisfactory.

The Judge entertained objections to the receipt of evidence as they were offered and allowed them, as he said, whenever he considered them good; but he said that in cases of small amount he would relax the rule where its operation would lead to expense or to inconvenience disproportioned to the advantage of adhering to strict legal proof.

BATHURST CIRCUIT COURT.
(*Abridged from the Bathurst Times.*)
Monday, September 19.

The Court opened at ten o'clock before his Honor Judge Dickinson. The Clerk of Arraigns having read the usual proclamation, the business of the Court commenced.

Indecent Assault.—William Thomas, aged fifteen years, was indicted with having, at Sofala, on the 27th October, 1858, feloniously assaulted one Rosanna Ellis a little girl of the age of seven years, with intent to carnally know her. A second count charged prisoner with indecently assaulting the child. This was a case which was remanded from the last Circuit Court, in order to instruct the prosecutrix in the nature of an oath. The prisoner pleaded not guilty, and was undefended. Rosanna Ellis was brought forward, but after having been questioned by his Honor, it was ruled that she was not sufficiently instructed to know the nature of an oath. Thomas Andrews: I am a duly qualified medical practitioner, residing at Sofala; I examined the child who has just got out of the witness box about October last; I found no marks of violence on the girl as if a rape had been committed. The prisoner made no defence. His Honor having summed up, the jury retired, and, after consultation, retired into Court with a verdict of guilty against the prisoner on the second count. Sentence—Twelve months' hard labour on the roads or other public works of the colony.

Abduction.—Walter Culverson and William Vaux were charged with having, at Burrendong, unlawfully taken away, against the will of her father, one Sarah Ann Dawson, a girl of the age of fifteen years. The prisoners pleaded not guilty, and were defended by Mr. Wild. The jury retired for half an hour, and returned a verdict of guilty against both prisoners. Sentence—Six months in Bathurst gaol.

Stabbing with Intent.—Sam, a Chinaman, was charged with having, on the 4th July last, at Phillips's public-house, Avisford, stabbed John Dickinson. The charge contained four counts:—1. Stabbing with intent to kill. 2. With intent to maim. 3. With intent to disable. And 4. With intent to do bodily harm. Mr. Wild, at the request of his Honor, consented to defend the prisoner. Evidence having been heard, Mr. Wild addressed the jury on behalf of the prisoner. The purport of Mr. Wild's address was explained to the prisoner by his Honor through the interpreter. The jury retired for about ten minutes, and returned into court with a verdict of unlawfully wounding. Sentenced to twelve months' imprisonment with hard labour in Bathurst gaol.

Obtaining Money by False Pretences.—John Muthuel and Charles Smith, two South Sea Islanders, were indicted for having, at Devil's Hole, on the 20th June, 1859, feloniously obtained the sum of £3 from one A Song, a Chinaman, under false pretences, by representing themselves to be constables and demanding to see his miner's license, which they declared to be of no value, and thereby obtained the sum of £3. Sentence—Three years' hard labour on the roads or other public works.

Tuesday, September 20.

MURDER.

Robert Davis was indicted for that he did on the 22nd March, 1859, at Dubbo, in the colony of New South Wales, feloniously, wilfully, and of his malice aforethought, kill and murder one Roger Flood. The prisoner pleaded not guilty. His Honor, in consequence of a petition he had received from the prisoner, requested Mr. Wild to watch the case for the defence, which that gentleman kindly consented to do, assisted by Mr. M'Intosh. The Attorney-General opened the case in a lucid and most temperate manner. John Nicholls, being sworn, deposed: I am a district constable at Mundoora; I was at the Dubbo Police-office on the 23rd of March last; the prisoner was brought there by Mr. Cornish and Mr. Graham; I searched him and found a match box, a knife, a watch, and various other articles; from information I received I went with Mr. Kemmys in search of Roger Flood to Reedy Corner Angle, which is three-quarters of a mile from Dubbo, and about 1500 yards from M'Donald's public-house; the plan produced is one I drew there (a plan was put in); I found a pile of dry wood, and under it I found Roger Flood dead; I knew him perfectly; I have known the deceased fifteen years; he was over eighty years of age, and used to stoop a good deal; I found a hat and two sticks; I produce the hat; there are two cuts in it; there were several cuts on Flood's head; I saw one cut over the left eye, and two others on the face; when I discovered the body I sent Mr. Kemmys for the magistrates, and I remained with the body; I never removed the wood off the body; it could be seen quite plain through the wood; the deceased's pockets were turned out; there was a pool of blood some yards from where we found the body, which had been dragged along the ground; the blood was covered with a branch and some dead leaves; when I searched the prisoner I found some blood on the bosom of the shirt, and the right wristband was torn off; the prisoner had a bundle with him which I also searched, and found a nightcap in a coat-pocket which I produce; I also produce three other new nightcaps the same as the one found on the prisoner; the three new ones belonged to Flood; I took them out of his box; the nightcap found with prisoner has grey hair in it.

Frederick Jansen: I am a butcher residing at Reedycorner, about a mile from Dubbo; the prisoner was in my service about five weeks previous to the 20th March; I only kill sheep at my place; the prisoner's duty was to mind the sheep; he left my employment on the 21st March, Monday morning; I discharged him on the Saturday; he stayed at my house on Sunday and went away on the Monday morning. Flood slept in the same room with me on Sunday night, and the prisoner slept in an outhouse; I paid the prisoner 10s. a week and Flood 8s. a week; I never saw the prisoner wear a nightcap, but I saw him put one in his pocket on that morning; it was something like the one produced; I know the coat produced; it belongs to the prisoner; on the Sunday evening Flood gave me £50; he had £60; he had left a £5 note, and a £1 cheque, and other money; Flood took breakfast in my house at half-past 8 on Monday morning; he then went out with the sheep towards the spot where his body was afterwards found; I went to Dubbo, and in the afternoon my man brought the sheep home; Flood was not with them; I went in search of Flood and met the prisoner; it was about sundown; not far from the spot where the body was found; it might be from twenty to fifty yards off; I asked him if he had seen the old shepherd; he said he had not seen him all the day; I said I must go down and see about him at Peter Lemon's; I went to Lemon's, and the prisoner followed me; I searched the flat and did not find him; I went again between nine and ten at night to look for Flood, and again met prisoner near the place where I saw him before; I did not speak to him; on the next morning I went to the Police Court and afterwards went to the flat; I never saw prisoner before he entered my service.

Cross-examined: I made two searches for Flood on the night he was missed, and one on the following morning; the prisoner never helped me to kill sheep; the carcases used to be hung up in the room where prisoner slept; sometimes as many as eight or ten; I kill sheep every evening; the prisoner did not leave until Monday morning; he slept as usual where the sheep were hung up; the prisoner had dogs which he used to feed with the offal; he may have cut it up for them.

Patrick Long being sworn: I am a bullock driver in the employ of Patrick Lemon; I know the prisoner; I had known him for about five weeks previous to the 20th March; we were encamped during the whole of that time near Jansen's; I remember seeing the prisoner on Monday evening the 21st March; Lemon was present; the prisoner said that Flood had been absent from his sheep; he also said that Flood said he had plenty of money, and that he would not stop with the butcher for 8s. a week; and that he had not come there as a shepherd; that he should go away and leave as many things behind him as would serve the butcher for days after; he said he had plenty of money, and that he was paying men to look after his cattle; the prisoner also said that Flood showed him two rolls of notes, and said he would bolt, and nobody should know where he had gone to; the prisoner said that he himself had been an overseer over prisoners at Moreton Bay, and that they thought nothing of knocking a man on the head who had plenty of money; when I saw prisoner on Tuesday morning, he wore a plaid waistcoat and a regatta shirt; he went away about nine o'clock, and I did not see him again until between eleven and twelve o'clock; he was coming from the side of the river; he was dressed differently to what he was when he went away in the morning; he said he had a headache, and that he had been having a "bogey" in the river; he asked me to go and have a nobbler with him as he felt very bad; I said I wouldn't, but if he would bring down a bottle I would have a glass with him; he came back and said it was two o'clock by a watch which he said he gave £4 for; he said he had given 35s. for a pair of boots; either 20s. or 25s. for a waistcoat; he also brought with him a bottle of rum, a bottle of wine, and a bottle of syrup, and some loaf sugar; I had three glasses of rum, and a glass of port wine with him; that night the prisoner laid down about seven paces from me at the camp; he couldn't sleep; he was constantly smoking his pipe; he called to me twice, and asked if I was asleep; I said "no" the first time, and did not answer him the next time; he said he couldn't sleep outside, and my mate let him go inside; I don't know whether he slept after he went in; I remember Jansen coming down to the camp; the prisoner was present; Jansen asked if we saw the shepherd yesterday; I said I had not; the prisoner did not say anything; when Jansen had gone away the prisoner said "does not Jansen look very pale?" I said he did; the prisoner said Jansen looked like a man who had committed a murder for the sake of the old man's money; I said that it might be so; the prisoner then went towards the tent; he was taken into custody some time after, about four days after, the following Sunday, I found a tomahawk covered over with a piece of bark seven yards from where the pool of blood was discovered; the one now produced is the same; it was stained with blood.

Cross-examined: As near as I can state, it was between eleven and twelve o'clock when I saw the prisoner coming from the direction of the river; it began to rain about ten o'clock on the night he stopped at the camp; I do not know that the tomahawk produced was the prisoner's; on the Wednesday morning, the prisoner said he thought he would stop another day; I cannot say whether the prisoner was away from the camp on Thursday; he was in liquor at the camp on that night.

James Cornell being sworn: On Tuesday, the 22nd of March, I was encamped on the Flat near Dubbo; I saw the prisoner about twenty minutes after I arrived, which was about eleven o'clock; he had a pair of dirty trousers in his hand which he put into the fire, with a stick which he had in his hand; I had seen the prisoner twice before.

George Margiesson being sworn, deposed: I am a storekeeper, at Dubbo; on Monday, the 21st March, the prisoner came to my store, and bought to the amount of 10s. 6d., but only paid me 10s., saying he had no more money; on the following day he came to my store and bought a waistcoat, a pair of boots, and a cotton handkerchief, amounting to £2 1s., which he paid for with a new £5 note; I knew Roger Flood; he came to my store on the 15th March, and purchased some articles, which he paid for by a £60 cheque; the value of the goods purchased was £7; I retained for Flood £16 10s., which I gave to him on Monday, the 21st March, in one £15 cheque, one £10 cheque, a £1 cheque of Mr. Collins, and some silver; the cheque produced is like the one I gave to Flood.

Cross-examined: I will not positively swear that the cheque produced is the same that I gave to Flood, although it is for the same amount, and signed by Mr. Collins, and is the same in appearance; when the prisoner paid me the 10s. on the Monday, he said he had no more money about him, but would call and pay me in a day or two.

Pietro Gulmgi: I am a watchmaker, and reside at Dubbo; I remember seeing the prisoner between twelve and two o'clock on Tuesday the 22nd March; he purchased a watch, for which he paid £2 in a £1 note and a £1 cheque; the cheque produced I believe to be the same that he paid to me; the watch is like the one I sold him; but I do not remember the number.

Cross-examined: I did not swear positively to either the watch or the cheque, but to the best of my belief they are the same.

Alfred Julius Sickler: I am a medical practitioner; on the 23rd March I went to view the body of Roger Flood, which I found covered with a heap of wood; I threw the wood off; the body was on its back with the hat upon the chest, and two sticks with which he used to walk thrown across him; I found seven wounds on the head, each penetrating the skull; the tomahawk produced would make such wounds; I noticed two wounds at the back exactly corresponding with the two cuts in the hat produced; any one of the seven wounds was sufficient to cause death almost instantaneously.

Constable Coonan recalled: I showed Dr. Sickler the shirt I took from prisoner. Dr. Sickler re-examined: I examined a shirt given to me by constable Coonan; the right wristband is torn off, and it is spotted with blood. This closed the case for the Crown. Mr. Wild, for the defence, addressed the jury in a long and very argumentative speech. The Attorney-General replied at considerable length. His Honor having summed up, the jury retired, and after an absence of five minutes returned into Court with a verdict of guilty.

The prisoner was asked in the usual manner if he had anything

National Library of Australia http://nla.gov.au/nla.news-page1490101

to say why the sentence of death should not be passed upon him, and said, "I am innocent; I know nothing at all about it, your Honor."

His Honor then proceeded to pass sentence of death upon the prisoner in the usual impressive and awful terms, during which the prisoner's demeanour, though attentive, was characterised by apparent indifference.

WEDNESDAY, SEPTEMBER 21.

ARSON.—Joseph Fletcher was charged with having, on the 8th of May, 1859, at Pretty Plains, in the colony of New South Wales, feloniously, unlawfully, and maliciously set fire to a stack of hay, the property of one Edward Taylor. The jury having retired for about a quarter of an hour, returned into Court with a verdict of not guilty. The prisoner was therefore discharged.

MAIL ROBBERY.

William Day was indicted for that he did on the 24th June, 1859, feloniously, unlawfully, and violently, at Mount Victoria, in the colony of New South Wales, being armed with a gun, steal from the person of William Audell, eleven bags, one hundred letters, one hundred pieces of paper, and money to the value of £50, the property of the Postmaster-General. A second count charged the prisoner with stealing the same as the property of William Audell.

The prisoner was undefended, and pleaded not guilty. Mr. Wild prosecuted, the Attorney-General being a witness.

William Audell: I am a mail driver on the Sydney road; I remember the morning of the 24th June last; I was driving the mail up Mount Victoria, and about two hundred yards from the top of the hill a man came out of the bush and presented a double-barrelled gun at me; I was walking beside the horses at the time; the man had what appeared to be a piece of brown blanket covering his face, in which was a place cut to look through; he was about the same height and build as the prisoner, but I did not see his face; I heard the prisoner speak at Hartley on the next day at the watchhouse, and recognised the voice as that of the man who stopped me; when he stopped me he said, "Hold hard, stand; give me out them mail bags;" I said "I must not do that;" he said "You give me out the mail bags;" in reply I said, "I must not, if you want them come and take them;" he again said, "You give me out the bags, or by God I'll shoot you;" I said, "If you want the bags come and take them;" he said, "I've asked you three times and I don't want to shoot or murder you, but by God if you don't give me the bags I will;" I then got upon the box and threw them out: during the whole of this time he had his gun pointed at my head; when I had thrown out the bags he said "Now go on;" he was also armed with a long pistol in his belt; there were two passengers, who were about 100 yards in advance walking up the hill; they were near enough to hear a part of what was going on; they turned round to look at what was going on, and I drove on to where they were standing and told them I had been robbed, and they said "Yes, we saw it;" the man then called out to us, "If you don't go on I'll shoot you," still pointing the gun at us: this was between seven and eight o'clock in the morning; it was a very cold frosty morning and quite clear at the time; I then drove on to the toll-bar, and sent for the troopers at Blackheath, while Mr. Shepherd, the toll-bar keeper went away in the direction of Hartley; I gave the man eleven bags; I met the troopers and went back and shewed him the place where I had been robbed; I recognised the prisoner's voice at Hartley as the same as the man's who robbed me.

By prisoner: The man who robbed me was about the same height as yourself, 5 feet 10 or 11; I met some Chinamen between the place where I was robbed and the toll-bar.

The Hon. L. H. Bayley deposed: I remember the 24th June last; I was a passenger by the mail, and walked up Mount Victoria in company with a man named Goodwin; when we got to the top, Goodwin went into the bush for a short time, and I walked backwards and forwards to wait for the mail coming up, but as it was some time coming I turned round and saw it standing still, about 100 or 150 yards distant, with some person in loud conversation with the last witness, and I walked towards it to see what was the matter, but when I reached within 90 or 100 yards of the place I saw a person with a flannel over his face pointing a gun at the mailman, and several times demanded the mailbags; the mailman said something which I did not hear; at last I heard the man say that if he did not give him the bags at once he would shoot him, or words to that effect; the coachman threw out the bags, and drove towards me; the man never took his gun from his shoulder until we had got nearly out of sight, when, on taking a last look, I saw him take up the bags and go into the bush on the north side of the road.

Cross-examined: I cannot tell the man's exact height, but I think he was about your stature; I do not think Goodwin is here; Goodwin said that he thought he should know the voice again.

Thomas Charles Gore: I recollect writing the letter produced; it is dated 21st June; it is in my handwriting; I remember giving this letter, with two other official letters on the 22nd June, to post.

John Merrin: I am a constable in the Bathurst police; I recollect Mr. Gore giving me three letters on the 22nd June, which I posted.

William Thompson: I am postmaster at Bathurst; I make up the mail-bags, with assistance; the letter produced, which bears the date 22nd June, would leave Bathurst on the 23rd, and would get to Hartley on that evening; it would leave Hartley on the morning of the 24th.

Robert Hall Thompson: I am son to the last witness, and assistant in the Bathurst post-office. It is my duty to assist in making up the mail bags. I remember making up the mails on the 23rd June. This letter would leave Hartley on the morning of the 24th. It bears the Bathurst post-office mark of the 22nd June.

Gregor M'Gregor sworn: I am an innkeeper at Middle River, on the Mudgee Road, about twelve miles from Hartley; I remember the prisoner being at my house; he came, in company with another man, about eight o'clock; they asked for bed and supper; a man of the name of Collett was in the bar at the time the prisoner came in: he was telling me of the mail robbery of that morning; I asked the prisoner if he had come up the road, and had heard anything of it; the prisoner said he had heard of it; I asked him if he knew any particulars; he replied, 'A man has been taken up at Hartley for talking about it, and I don't want to say anything about it for fear I might get into it;' I showed the prisoner and the other man to bed; there are two doors to the room, one leading out of the house, and the other into the parlour, the latter of which I locked. I sent my servant to Hartley for the police, and the chief constable and constable Moran arrived at daylight next morning; they entered the room, and when the chief constable came out he showed me the letter now produced; no one had slept in the room before the prisoner and his mate since the night of the 21st.

Thomas Brown, sworn: I am a Police Magistrate at Hartley; I remember the 24th June last; in consequence of information I received, proceeded to Mount Victoria, to search for the mail bags, but found nothing the first day; on the next day I went again, and found the bag produced, about forty yards from the spot where the mail had been robbed.

Cross-examined: I never heard from the constable that Wilson had admitted taking the letter into M'Gregor's place.

Audell, the mailman, recalled: The bag produced by Mr. Brown is very much like the thing the man who robbed me had before his face.

Edward M. Battye, superintendent of the mounted patrol, deposed to the finding of the letters, cheques, notes, firearms, &c., he having taken out the prisoner to the bush, on horseback, for the purpose of showing him where the stolen property had been "planted."

John Middleton: I am a serjeant in the Western Patrol; I know the prisoner; I had him in custody on the 2nd July, escorting him from Hartley to Bathurst; he volunteered a statement without being asked by me; he said that he and a man named Wilson had robbed the mail, and that if it had not been for a letter upon Wilson he shouldn't have cared anything about the matter, and that if he had known that Wilson had the letter he would not have been taken so easily; he said he had requested Wilson to see that he had no portion of the mail about him before he got to M'Gregor's.

Cross-examined by prisoner: I never told you anything about a letter signed "Jack," referring to the member for Mudgee.

This closed the case for the Crown.

The prisoner made a long rambling defence, and put in a letter to the jury, which was read by the clerk of arraigns.

The prisoner then called

Mr. Thelwell, a turnkey in Bathurst gaol, who deposed that, after Wilson had escaped from the lock-up, the prisoner remarked to him that he was sorry for it; for if Wilson had been forthcoming, he could have convicted him out of his own mouth.

His Honor summed up, and the jury retired. After an absence of a few minutes they returned into Court with a verdict of guilty.

The prisoner was then sentenced to hard labour on the roads or other public works for seven years.

ARSON.—John Spencer was indicted for that he did, on the 3rd September last, at Rockley, feloniously, unlawfully, and maliciously set fire to a hay-shed, stable, and fowl-house, the property of John Richard Packard, surgeon, with intent to injure him. The jury retired, and after an absence of half-an-hour returned into court with a verdict of not guilty. The prisoner was discharged.

CATTLE-STEALING.—William Vane was charged with stealing at Mount Macquarie, on the 13th July, 1859, one cow, the property of one James Grant. The prisoner pleaded not guilty, and was defended by Mr. Wild; solicitor, Mr. Serjeant. Mr. Wild addressed the jury for the prisoner. The Attorney-General replied. His Honor summed up, and the jury having retired for a few minutes, returned with a verdict of not guilty. The prisoner was discharged.

FORGERY.—Cornelius Mortimer, charged with the above offence was discharged, upon his own recognizance of £100 to appear when called upon, the Attorney-General not being prepared to proceed with the case in consequence of the absence of material witnesses, and the prisoner having been in custody since February last.

THURSDAY, SEPTEMBER 22.

MURDER.

Tommy (a Chinaman) was indicted for that he on the 19th July, 1859, at Avisford, in the colony of New South Wales, did feloniously, wilfully, and of his malice aforethought, kill, and murder one Hong Ku. The prisoner who appeared to understand English tolerably well, pleaded not guilty. Mr. Wild watched the case on behalf of the prisoner at the request of his Honor Judge Dickinson. Tommy, the Government Interpreter, attended. After hearing the evidence of four witnesses, his Honor suggested that, as the evidence went to show that the prisoner and deceased had been fighting for ten minutes, there was no case of murder to go to the jury, and that the only thing for them to consider was, whether the prisoner had been guilty of manslaughter. Mr. Wild then addressed the jury for the prisoner in a very ingenious speech. The Attorney-General replied. His Honor then summed up, and the jury retired, and after an absence of five minutes returned with a verdict of "guilty of manslaughter." Sentence, twelve months' hard labour in Parramatta gaol.

MITIGATION OF SENTENCE.—William Thomas, who had been recently convicted of an indecent assault and sentenced to twelve months' hard labour on the roads, was brought before the Court and recommended by the Attorney-General for a mitigation of sentence, in consequence of his having already been in custody in the gaol for ten months. His Honor acceded to the recommendation, and reduced the term of sentence to six months.

The following case was argued in Chamber before his Honor Mr. Justice Dickinson:—

EX PARTE THOMAS CATLEY.—The prisoner had been convicted on the 24th May, 1859, before William Hall Palmer, Esq., police magistrate, under the Vagrant Act, 15 Victoria, No. 4, on a charge of keeping a disorderly house in Howick-street, Bathurst, and sentenced to twelve months' hard labour. A rule *nisi* had been obtained calling on the convicting Justice to shew cause why the conviction should not be quashed, and the prisoner Thomas Catley discharged from custody on various grounds. It was made returnable to-day in chambers and came on for argument. Mr. Wadeson appearing in support of the rule, and Mr. Serjeant shewing cause against it.

After considerable argument by the advocates on both sides, his Honor expressed an opinion that the third objection taken as to the adjudication of the convicting magistrate was fatal, and that the conviction was bad; but as the applicant was out of time, not having applied within the period prescribed by the 17 Victoria, No. 39, the rule must be discharged, but, under the circumstances, without costs.

This terminated the business of the session.

FATAL ACCIDENT AT BERRIMA.—On Tuesday afternoon, about five o'clock, a little girl, about five years of age, a daughter of Mr. James Armfield, of Berrima, was accidentally drowned in the Wingecarribbee River. It appears that the little child was amusing herself by jumping up and down on a plank over the river, near the rear of M'Mahon's house, when she fell in and was drowned. Messrs. Daley, Hatfield, Izzard, and others, on hearing of the accident, went into the river, and, after about an hour's search, Mr. Izzard succeeded in recovering the body, about fifty yards from the place where she fell in.—*Goulburn Herald.*

FATAL OCCURRENCE.—On Wednesday evening considerable excitement was created in the town by the rumour that an American named Daniel Carlind, a tanner in the employ of Mr. Dale, had been mortally wounded at the Donnybrook Inn, by a woman named Mary Ann Brady. On enquiry we found that the report was too true, and on Friday morning Carlind breathed his last, having made his dying deposition before the Police Magistrate on Thursday night. It is stated that the deceased attempted to take indecent liberties with the woman Brady, and that she stabbed him with a pair of scissors in self-defence.—*Bathurst Free Press.*

INSOLVENCY COURT.

MEETINGS OF CREDITORS.

Tuesday, 27th September.—Philip Fitzpatrick, adjourned examination, half-past 10. Hector Martin, adjourned examination, 11. Robert Fisher, adjourned second, 12. Henry Jefferson Bate, Thomas Lawrence, certificates, noon. Thomas Cross, adjourned examination, 2.

Wednesday, 28.—William Ward, second, 11. James Smith, second, 12. Sarah Bambrigg, single, 1. George A. Green, second, 2. William Macdonald, adjourned examination, 2. John Beauchamp, first, half-past 2.

Thursday, 29.—William Newlands, third, 11. Thomas Rivett, single, half-past 11. Stephen Doyle, single, 12. James Cripps, first, half-past 12. William Sawrbier, single, 1. Hyman William Goldring, special for proof of debts, 2.

Friday, 30.—George A. Lloyd and Co., second, 11. John Robertson, adjourned examination, 12. Joseph Downey, adjourned single, half-past 2.

Monday, 3.—Charles Nash, special for proof of debts, and for direction, 11. John Beauchamp, second, half-past 11. Robert P. Whitworth, single, half-past 12. William Gregory, single, 1. Benjamin Goddard, single, 2.

Tuesday, 4.—George L. Wilson and Co., adjourned special, for examination, 11. Charles John Scott, William Sergeant, Malachi Hardiman, certificates, 12.—*At Maitland:* John Clode, special, for proof of debts, 3.

Wednesday, 5.—Patrick Tate, single, 11. Charles Fish, single, half-past 11. Frederick White, single, 12. George P. Bradley, first, half-past 12. Henry Horler, single, 1.—*At Bathurst:* James Crisp, second, 11.

Thursday, 6.—Morris and Moon, adjourned special for proof of debts, 12. *At Maitland,* Thomas Graham, third, 11. *At Bathurst,* John Bowman, third, 11.

Friday, 7.—John Amess, adjourned examination, 11. At Bathurst, Cheslyn Basford, third, 11.

Monday, 10.—William Macdonald, third, 11. Alexander Fleming, third, 12. Frederick M. Lockyer, single, 1. Michael Lennon, first, half-past 2.

Tuesday, 11.—James Fussell, adjourned certificate, 11. Alfred Smith, Patrick O'Carroll, Anthony Edwards, certificates, 12.

Wednesday, 12.—Philip Fitzpatrick, single, 11. Edward Walton, adjourned special for examination, 11.

Thursday, 13.—George P. Bradley, second, 11. *At Bathurst,* Michael Lennon, second, 11.

Monday, 17.—*At Maitland,* Peter Egan, third, 11.

Tuesday, 18.—Edmund Burgess, John Longfield, certificates, 12.

Monday, 24.—Frederic King, adjourned special for proof of debts, 11.

Tuesday, 25.—John Clark, Thomas Coss, Joseph Lloyd, Thomas Booth, William Callaghan, Benjamin Holman, Richard Harris, certificates, 12.

CENTRAL POLICE COURT.

MONDAY.

BEFORE Mr. Ross, Mr. Warburton, Mr. Peden, Mr. Armitage, Mr. Lucas, Mr. E. Jones, Mr. Kettle, Mr. Oatley.

Eighteen drunkards were severally sentenced to pay 20s., or to be imprisoned forty-eight hours.

Catherine Graham, Mary Ann Crawfield, and Ann Walsh, three aged women—very old vagrants—were sent to gaol for three months.

Patrick Kelly was brought before the Bench by sergeant Renshaw, who took him into custody for protection, believing him to be of unsound mind; had been informed that he had slept in the bush near Randwick for several nights; in reply to his (Renshaw's) inquiry why he slept from home, he said that he dare not go home, because persons were there waiting to do him an injury. Dr. Rutter, police surgeon, deposed that this is the third time he has had to examine Kelly under circumstances similar to the present; he is decidedly insane, his family being supported by relatives. To be imprisoned for treatment, in default of sureties to be of good behaviour, seven days.

James Hope was brought before the court by constable *Duffy,* who, on Saturday, received him into custody for having stolen a piece of silk handkerchiefs (produced), on the way to the lock-up prisoner dropped another piece (produced); both are identified as the property of Messrs. Armitage and Co.; on the way to the lock-up prisoner bolted, and was not recaptured without a long chase; on searching him found seven £1 notes in his pocket, and one £5 note in his mouth, which he seemed to be endeavouring to swallow, and 8s. in silver; a sovereign (produced) was given to him (witness) by a gentleman at Messrs. Armitage's store. Charles Ferris, in the employ of J. T. Armitage and Co., York-street, deposed that, on Saturday, prisoner came to the store and represented himself as purchasing goods for a person in business at Maitland, and looked at a variety, none of which would suit; he, however, took a dozen of socks as a sample, for which he paid a sovereign; witness had to go out for change, and on his return saw him putting a piece of silk handkerchief into his coat pocket; witness told Mr. Bishop, who drew the piece of handkerchiefs from the prisoner's pocket, and gave him into custody. William Bishop identified the two pieces of handkerchiefs as the property of Messrs. Armitage and Co., and valued them at £1 18s. 9d.; he gave the sovereign to the police and kept the socks prisoner purchased. Inspector Singleton informed the Bench that prisoner is but recently out of gaol, having been convicted of picking pockets at a bazaar, held in the Temperance Hall. Their worships found him guilty of this charge, and sentenced him to be imprisoned, with hard labour, for six calendar months. The chief inspector of police asked their worships to make an order, forfeiting to the Crown the money found upon the prisoner, as is done in the Supreme Court, where a prisoner has been committed of a larceny. He submitted that a bench of magistrates exercising their summary jurisdiction, would have the same power in this respect as is continually exercised by the Chairman of Quarter Sessions. Mr. Moffatt, who appeared for the prisoner, contended that the justices had no power to confiscate the money: when such a power is exercised by any other Court, under similar circumstances to these, it is done in excess of authority. The only cases in which a forfeiture of money can be ordered by the Bench are those under the Vagrant Act, which statute expressly conferred the power. Their Worships declined to make any order in the matter.

Eleven shopkeepers were found guilty of having violated the provisions of the Police Act, by affixing signboards upon the awning posts in front of, instead of flat upon, the wall of their respective premises, and were fined in sums varying from 1s. to 10s., with 2s. 6d. costs.

WATER POLICE COURT.

MONDAY.

BEFORE the Water Police Magistrate, Mr. R. J. Hopkins, Mr. J. Smith, and Mr. T. Skinner.

George Lind, a seaman of the ship Lord Raglan, was fined 20s. or to be imprisoned twenty-four hours, for drunken and disorderly conduct on board; and John M'Gregor, of the Mountain Maid, was sentenced to four weeks' hard labour in gaol, for absenting himself from his vessel without leave.

John Hogan and Jesse Adams, who had been found drunk in George-street, were fined 10s. each; in default of payment to be confined in the cells for twenty-four hours.

William Winchester, a boy nine years of age, was brought before the Court under the Vagrant Act; having been found by constable O'Donnell, in the streets late on Saturday night, he was taken to the watch-house for protection so that he might be returned to his parents. He gave his name as above, but as he could give no distinct information as to the place where his friends resided, he was discharged with a recommendation for admission to the Benevolent Asylum.

The undermentioned masters of vessels were fined for neglecting, on different occasions, to exhibit constant bright lights at the mast head of their respective ships whilst at night lying in the fairway of the harbour:—John H. Wilson, of the Swan, 20s. and costs; Thomas Thomas, of the Abyssinian, 20s. and costs; John C. Bennett, of the Prince of Denmark, 20s. and costs; default of payment to be followed by levy of distress.

THE HEALTH OFFICER'S QUARTERLY REPORT.

THE following report, addressed to the Right Worshipful the Mayor and Aldermen of Sydney, was laid on the table of the City Council, on the 9th instant, by the Officer of Health for the city:—

Gentlemen,—I have the honor to submit my report on the state of health generally in the city, for the quarter ending 31st August.

The deaths registered during the quarter were 299, viz., 189 males, and 110 females.

The births during the same period were 618, being 319 in excess of the deaths.

The returns published by the Registrar-General, show a diminution in the mortality for a corresponding period in 1858, which, considering the increased population by births alone, is satisfactory to notice, and indicates a healthy condition of the city population generally. The mortality of children under 5 years of age, shows 37 per cent. on the total deaths.

The most prevalent source of mortality has been from diseases of the respiratory system, more particularly among adults. Deaths from diseases of the zymotic class show a less proportion, and the principal mortality among children from diseases of the nervous system; but croup and affections of the throat, and air passages, have in many instances proved suddenly fatal, giving rise to reports and fears that the disease termed "diphtheria," recently prevalent in an epidemic form in various parts of England, had made its appearance here. Cases of this disease are, perhaps, without foundation, reported to have occurred in the interior, but no reliable or authentic statements have been given. No death from such disease has been registered in this city.

This disease appeared in the healthiest parts of England; no aspect or situation seemed to grant immunity from it. The premonitory symptoms varied somewhat; but sore throat, with swollen tonsils and glands, were among the first. Subsequently, a peculiar deposit appeared on the internal surface of the throat and air passages, of a pale colour termed "diphtherite;" their appearances were accompanied with a depressive type of fever—ulceration and sloughing of the throat rapidly followed. A recent writer in the "British Medical Journal" states that "a strong similarity appears to exist between this disease and scarlet fever, so strong as almost to lead one to hazard an opinion that it may be a modification of that disease." Such an opinion, I believe, is common—that the disease termed "diphtheria" is a specific affection of the throat and air passages, with a suppression of the eruption of scarlet fever. A careful examination of the deposit in the throat shows it to be the exuded lymph similar to that of the croup. The treatment of the disease, to be successful, should be early and energetic, before the throat is seriously affected. This is a brief view of the disease. Some cases may have occurred here, but future and extended investigation may prove whether there is any connexion between it and scarlet fever or croup.

Every season has its specific diseases; hence influenza, bronchitis, colds, &c., have during the past quarter been prevalent. As the summer sets in, we become more exposed to the zymotic diseases, as fevers, &c. Most diseases are generated by the introduction of a subtle poison into the system; we should therefore examine into all conditions of atmosphere, and local causes likely to produce injurious effects upon the animal economy, and thus prevent the spread of epidemics. Fevers do not appear here, to depend on contagion—they but rarely, I believe, assume a typhoid type, as in London and other large cities, where putrid fevers are generated in localities and circumstances, wherein the elements of contagion exist,—but there is no doubt but that fevers of a similar type may be created here, when a more dense population crowds the city; and this can greatly be modified by systematic sanitary laws. Ignorance and carelessness among the lower classes, the disadvantageous places in which from necessity they are obliged to live in, render them more liable than persons in better circumstances; but contagious fever once established, all classes become liable to it, no situation or aspect will be exempt; it may become equally prevalent and fatal in clean and well-regulated establishments, as in low ill-ventilated and unclean situations.

The Registrar-General, in England, remarks in one of his reports, 1856, that the lives saved by sanitary regulations were double the number of those sacrificed by the late war. This, from so high an authority, ought to stimulate our efforts in carrying out sanitary rules.

Diseases may spread from one country to another; and whatever may be the source whence they originate, may be carried, and establish themselves in distant parts, either through the medium of the atmosphere, the passage of those afflicted, or by the effects of the disease attaching itself to clothes, bedding, &c. Hence the establishment of quarantine laws, which, I believe, are as strictly enforced here as elsewhere. I would here, however, as a matter of further precaution, suggest that application should be made to the Colonial Secretary to issue instructions, that the city Health officer should be acquainted with the nature of disease on board all vessels placed in quarantine; the necessity for this is obvious, as he should be aware of the contiguity of diseases communicable by direct contact, or through the atmosphere. Rapid and frequent communication exists between this and other distant colonies, where smallpox and cholera have recently existed.

For the further preservation of public health, three things are necessary, viz.—1. Pure air. 2. Cleanliness. 3. Pure water.

1st. The air of large towns and cities in general must necessarily be less pure than that of the country,—there are two circumstances which cause this—the presence of animal matter, and the absence of vegetation; these are unavoidable. There is, perhaps, nothing more essential to health in cities, than public gardens and parks, for recreation and exercise of the people, and a wise forethought has been displayed in reserving so much space as the Domain and Hyde Park, for these purposes. The Old Burial Ground, in George-street, would assist in contributing to salubrity, if it were planted with trees and shrubs. Properly fenced in, it might be rendered useful, and ornamental; the same as the Squares at the West End of London, which are planted, and open, under certain regulations, to the public.

The proper ventilation of dwelling houses, especially those of the poor and labouring class, does not receive that attention its importance to health deserves. In many parts of the city there are lanes and courts with numerous inhabitants; the houses are divided into tenements, a family in each, with one or two rooms for all purposes, deficient in ventilation and light—living in such an atmosphere renders the constitution susceptible of all kinds of diseases. The application of some remedy to improve the habitations of the working class is very desirable. The model lodging-houses in London, situated in old St. Pancras Road called "Metropolitan Buildings," contain 550 inmates, families in separate tenements; the rate of mortality during three years ending 1851, including the period of the epidemic cholera, was only 20 in 1000. The proportions of deaths under ten years of age was only half that of the metropolis in general; and Dr. Southwood Smith has stated, that the average rate of mortality in buildings erected by the "Association for improving the dwellings of the industrious classes of London," has not been one-third of the average rate of mortality of London at large, while the rate of infantile mortality in the same dwellings is at a little more than one-fifth.

In public buildings and schools in the city, no efficient mechanical means are constructed by which the expired air can with sufficient rapidity be replaced with currents of pure air. The atmosphere of such places, when a number of persons are congregated together, becomes surcharged with deleterious gases, which, being inhaled, alters the condition of the blood and renders those within its influence liable to all sorts of organic affections. The Supreme Court, in King-street, may be pointed out as an instance of the defects of ventilation. The windows do not open into the streets; there are no openings in the ceiling; no means whatever of passing in currents of pure air (by air pipes) but by the doors, which are generally closed. Going into these courts direct from the street, the offensive atmosphere is most oppressive; and I must here take the liberty of remarking that these and other public offices in the city are not conspicuous for cleanliness. Let any of you, gentlemen, walk into the Court-house in King-street; notice the dirty, unlimewashed walls—the dirty state of the matting and floors; the condition of such places, as regards ventilation and cleanliness, is, I submit, prejudicial to health.

Most of the public schools in Sydney are also defective in ventilation. Some I have seen greatly overcrowded with children of all ages, and in many *a great want of ordinary cleanliness is perceptible.*

The proper ventilation and cleanliness of schools is a matter of so much importance to the health of children that I would suggest the establishing of some effectual regulation for this specific purpose.

There are certain manufactures and trades in the city which require the consumption of much coal, and emit large volumes of smoke; and if we consider the healthy state of some cities, in which immense quantities of carbonaceous matter is constantly floating in the atmosphere, we cannot regard smoke as a source of unhealthiness. Its influence on health is less apparent than upon cleanliness when chimneys are erected 150 or 200 feet high, a large portion of this carbonaceous matter becomes condensed, and that which escapes is dissipated in the atmosphere. In the numerous manufactories in Sussex-street this nuisance can scarcely be avoided.

The exhalation of noxious emanations from the ventilating shaft in Hyde Park has caused some observations. The shaft is not more than eighty feet high, situated as it is in an open space, exposed to constant currents of air; it would be presumed that all bad effluvia would be so diluted by admixture with the surrounding atmosphere, as to prevent the possibility of injurious consequences. If, however, on more extended investigation, it is found the gasses evolved polute the atmosphere to a distance, the same simple means of controlling and destroying other offensive and injurious products will provide successful means of removing this evil.

2nd. Cleanliness in private dwellings, and in the public streets of the city, are essential to health and comfort, the difficulties in the way of this at present are defective house drainage and sewerage, insufficient scavenging, &c. Public safety requires the exercise of authority to compel attention to the internal condition of houses, so as to prevent their continuance in such an unwholesome state as to endanger public health.

In my inspections through the city, I frequently remark the accumulation of house refuse. On remonstrating with the occupants, the reply is, "*We have no means of getting the rubbish away—there are no dust carts*—we are obliged to do the best we can!" In some places the landlords cart it away, but not until there is a large accumulation. The consequence is, that house drains and street gutters become obstructed. By a heavy fall of rain, such as we have recently had, these obstructions are partially removed, but the real objections are only shifted. I also frequently observe houses advertised to let, in a dirty filthy condition. Some landlords seldom, if ever, think of limewashing their empty houses, or of repairing house drains, &c. Cesspools, generally, are not emptied so often as they ought to be; the Inspector of Nuisances cannot interfere, *legally,* until they *overflow.* If such conveniences were better constructed and cleaned out more frequently, there would be less annoyance from effluvia, or contamination by percolation. All organic matter exposed in a putrid state must be prejudicial to health; means should, therefore, I submit, be provided for the quick removal of all house refuse; there should be no time for putrefaction, no time for generating noisome effluvia. Means should also be provided for the quick removal of refuse from beneath our houses and streets,—only to be done by efficient flushing. The contents of cesspools should not be transferred to sluggish tunnels. The question of sewerage and drainage is, I am aware, a difficult one at present, and not in your power to remedy without Legislative enactments.

The disposal of sewage matter has even been found a difficulty in large towns and cities. Objections here are made to the sewers emptying into the harbour, but I cannot see on what sufficient grounds they are made. If carried into deep water, not exposed at low tide, no harm can result; if the mouth of the main sewer becomes obstructed, as that that at Fort Macquarie, it could easily be removed by a steam dredge. It would perhaps be better on sanatory grounds if sewage could be conveyed direct to the coast; but this, I presume, would be a work of great expense at present.

The sewage of many large cities and towns in Europe is collected, deodorised, and converted into manure; it has been suggested to apply that of London to this purpose, but as yet little progress is made in this branch of economy, at once agricultural and sanitary. In a place like this, where manure is so much required, it is a question deserving consideration as to whether means cannot eventually be adopted of converting the city sewage to so legitimate a purpose. Liebig has made it so in Germany, and many perhaps have read of the extraordinary value given to the meadows round Edinburgh by its application. In many towns in England it is taken by a lessee, and at a considerable profit to the municipality.

It has been suggested that public baths and laundries should be erected in the city, affording facilities for health and cleanliness, which the confined dwellings of the labouring class prevent them from enjoying. On the subject of "hot baths," a letter appears a few days back, in the *Sydney Morning Herald,* from my friend, the Rev. Dr. Fullerton. I am quite sure you will appreciate all he there states, and that when means and water are more plentiful, you will suggest measures for the erection of these necessaries for the poorer classes. At present I am convinced that you have more important sanitary measures to consider—some demanding almost immediate attention.

3rd. The supply of water is one of the most important points in connection with the sanitary condition of the city. I am given to understand that when the water works are in operation, there will be an ample supply of water at a price within the reach of the poorer classes. The water at its source is pure, and free from animalculæ, but by its passing through leaden service pipes into the houses, it is said to become contaminated, producing very serious disorders. There may be some truth in what has been written and said here about our "*poisoned water,*" but I think that cases and fears on this head are much exaggerated. I state this with due deference to the opinions of other medical men; mine are founded from careful enquiry into the subject, and from an experience during eighteen months in an extensive practice among the labouring class living in the city, members of "Friendly Societies" to which I am surgeon.

All waters, either from springs, lakes, or rivers, have not an equal action on lead; their action is very variable. It is believed by some that it is in proportion to its purity; and that as the water at its source at Botany is most pure, that its power of dissolving or corroding lead piping is thus very great. This opinion is not confirmed by Professor Smith here, or by chemists at home.

A few years back numerous experiments were tried by the most eminent chemists of the day, relative to the action of the waters of Loch Katrine on leaden pipes (this water is very pure), and it was found that its action was so small as not to deter the Glasgow authorities from using leaden service pipes.

The same question has been raised in London; but the daily use of water supplied through leaden pipes to upwards of a million of people, without any great inconvenience arising, must be a decisive proof of its inertness.

I am not aware to what extent the water at Botany acts on lead, or that any reliable chemical analysis has been made as to its power of dissolving or corroding.

The examination of the means by which the poison of lead is supposed to gain admittance into the human body, unobserved and unsuspected, has for years past engaged much attention, and volumes have been written on the subject. The dangers which attend its use in the manufactory of culinary and domestic utensils, and in cisterns and pumps, have long been proved; but experiments do not confirm the opinions of danger arising from the conveyance of water through leaden pipes.

Dr. Lambe, in his researches into the properties of spring water, infers that most spring waters have the power of acting on lead; Dr. Thompson confirms these views as far, that water corrodes the lead, but that the quantity, as it is suspended in water and not dissolved, is too minute to become injurious—these opinions are endorsed by Sir G. Baker and Dr. Werbredden.

In the numerous investigations which from time to time have been instituted by Boards of Health, it has been established that the lead piping is the least of all causes producing disease from the absorption of lead.

Lead may be introduced into the system either by the stomach, the lungs, or skin; hence, the disease is a common one among mechanics and workers in lead. The diagnosis of the disease is easy, and from whatever cause will to a person of but little experience be perceptible.

Besides through water by lead pipes, pumps, or cisterns, the disease may be established through other drinks. Cider has been known to be highly impregnated with lead, causing the "Devonshire colic,"—many Continental wines also, both being manufactured in mills containing lead. Litharge, a preparation of lead, is used in the adulteration of wine. Leaden pumps and pipes—are invariably used in public houses for fermented drinks—when tart they act very freely on lead. So numerous indeed are the uses of lead, and to so many purposes is it applied in the arts and manufactures, that the channels through which it may be undesignedly taken into the human frame, are so numerous that it would be tedious to enumerate them.

There are some persons, who from peculiarity of constitution, are more susceptible than others of certain diseases—to which the term "Idiosyncracy" has been applied. This is the case in regard to lead—from many who are placed in parallel circumstances, only one in particular, more susceptible than the others, may become affected.

To those who are thus predisposed, or morbidly susceptible—or fearful of the effects of water passing through leaden pipes, the remedy is simple and within the reach of all. The lead not being held in solution, can be entirely removed by filtration through sand—that which has stood long in the pipes, should be run off.

In forming new service pipes, as a precaution, tin should be alloyed with the lead, contamination cannot then take place. I believe that the Municipal Authorities of Melbourne have adopted this plan.

I have the honor to be, Gentlemen,
Your obedient servant,
HENRY GRAHAM, Officer of Health.

Sydney, September 9th, 1859.

THE LACHLAN.—We have lately received the most flourishing accounts of this district, where all appears to be completely *couleur-de-rose.* The lambing season has commenced, and such has been the fecundity of the flocks, that we have heard of one settler at least, whose stock has increased this season to the extant of 95 per cent.—*Bathurst Free Press.*

ELECTION RUMOURS.—It appears that the representation of East Macquarie is likely to be contested. In addition to Mr. Hawkins, who is already in the field, we have heard the names of Messrs. Deniehy and Faucett mentioned as likely to become competitors for the vacant seat; indeed it was confidently rumoured in town on Friday that the *former* gentleman had already signified his willingness to present himself as a candidate. Mr. Doble, of the New Line of Road, has also been mentioned as likely to be brought into the field by his numerous friends and admirers.—*Bathurst Free Press.*

TO THE REV. JOHN SAUNDERS ON HIS DEPARTURE FOR ENGLAND IN 1848.

If a large love of the whole human race,
With charity that hopeth a meet cure
For its worst evils, indicates the grace
Of *goodness,* thine is such as will endure.
And if our prayers to 'stablish what is pure—
If faithful—waste not in the voids of space,
But Godward rising—pierce heaven's starry face,
Thine have been heard, and thy reward is sure.
Farewell. This people might be well content
To part with much besides, if so, it might
Keep burning through its moral gloom, unblent
With earthlier ardours perilous though bright,
Thy steady flame of purpose in the right—
Thy eloquent fervour kindling wise intent.
CHARLES HARPUR.

LEGISLATIVE ASSEMBLY.

BUSINESS PROCEEDINGS THIS DAY.

NOTICES OF MOTION.

Mr. MURRAY to move for leave to bring in a bill to abolish the law of primogeniture in New South Wales.

Mr. MURRAY to move for leave to bring in a bill to abolish capital punishment in this colony.

Mr. MORRIS to move for leave to bring in a bill to provide for the preparation, audit, and presentation to Parliament of annual accounts of the receipt and expenditure of the public revenues; and to define the tenure, constitution, and duties of the office of Auditor-General.

Mr. FLOOD to move, That there be laid on the table of this House, a return of all sums of money voted by this House for public works or buildings (not railways) for the years 1857 and 1858. 2. A return of all works or buildings which have been constructed agreeably to the votes taken for the above period. 3. The amount of every tender for works or buildings so constructed, and the actual amount expended upon each service. 4. The amount (if any) of any outstanding claims upon the Government for works or buildings executed during those years. 5. A return showing the manner in which the sums of £6000 and £10,000 respectively voted in 1857 and 1858 for repairs, alterations, and additions to public buildings have been appropriated, giving amount expended upon each separate building, work, or general repairs.

Mr. WINDEYER to move, That an address be presented to the Governor-General, praying that his Excellency will be pleased to cause to be laid on the table of this House copies of the depositions in the case of one Mrs. Williamson and her son, tried at Parramatta on the 17th May last, before H. Cary, Esq., District Court Judge; also the depositions in the case of one Mrs. Peckman, tried at the same place and at the same sessions; together with all correspondence and memoranda between the Attorney-general and Mr. Meymott, the Crown Prosecutor, with reference placing those persons on their trial.

Mr. MORT to move for leave to bring in a bill to extend the duration of the Act known as the "Lien on Wool &c."

Mr. SAMUEL to move, That an address be presented to the Governor-General, praying that his Excellency will be pleased to cause to be laid upon the table of this House, a return, showing the expenditure of fifty thousand pounds, voted in the year 1855, for railway surveys; together with a return of any other sums expended since that time to the present date for the same purpose, specifying the amounts expended on each line for preliminary and working survey respectively.

Mr. FORSTER to move for leave to introduce a bill to alter and amend the Act of Council, 16 Vic., No. 33, intituled "The Police Regulation Act."

Mr. WALSH to move, That an address be presented to the Governor-General, praying that his Excellency will be pleased to cause to be laid upon the table of this House, all correspondence which has taken place between the late Government Surgeon of Gladstone and the Government, relative to the payment of his salary—the appointment he held; and of any other correspondence which they have bearing upon the subject.

Mr. HODGSON to move, That there be laid upon the table of this House a statement of all moneys collected in the port of Newcastle for tonnage, pilotage, and harbour dues, from 1st January, 1858, up to the present time.

Mr. ELIOTT to move, That this House will, on Friday next, resolve itself into a committee of the whole to consider of an Address to the Governor-General, requesting that his Excellency will cause to be placed on the Estimates for 1860, a sum not exceeding £250 for the conveyance of immigrants to Maryborough.

Mr. HODGSON to move, That there be laid on the table of this House a return showing the salaries paid under the old arrangement in the Civil and Criminal Crown Solicitor's Office, and a return of the salaries paid, or proposed to be paid, since the amalgamation of the two offices.

Mr. MACALISTER to move, That an Address be presented to the Governor-General, praying that his Excellency will be pleased to cause to be laid upon the table of this House copies of all correspondence between the Government and Messrs. North, of Wivenhoe, in the district of Moreton, on the subject of the application of the latter to exercise their pre-emptive right over the head station of Wivenhoe; of any proclamation declaring the said head station a reserve for a township; of any proclamation cancelling the said reserve; and of any opinion given by the law officers of the Crown regarding the effect of such proclamations, and the claim to exercise the above-mentioned pre-emptive right.

Mr. PARKES to move, That there be laid on the table of this House a return—supplementary to the return ordered to be printed on the 20th instant—of the Annual Expenditure for the Civil Service of the colony for the years 1858 and 1859, showing for each year the separate cost of each department, and the proportion of the total to each head of the population, approximately ascertained, with an accompanying explanation of the causes of increase or decrease in the annual amount for each respective service.

Mr. HAY to move, That the petition of James Bayley, of Tamworth, presented by him on the 23rd instant, be printed.

Mr. HAY to move, That the petition of Lieutenant Seaver, presented by him on the 23rd instant, be printed.

Mr. HAY to move, That an address be presented to the Governor-General, praying that his Excellency will be pleased to cause to be laid upon the table of this House copies of all correspondence which has taken place with the Government in connection with an application of the Chief Justice for leave of absence.

Mr. HAY to move, That an address be presented to the Governor-General, praying that his Excellency will be pleased to cause to be laid upon the table of this House a copy of all correspondence relating to the establishment of the Municipality of Nowra; also the description of the approved boundaries of such Municipality, accompanied by a plan shewing the same.

ORDERS OF THE DAY.

Duration of Legislative Assemblies Limitation Bill; second reading.

Standing Orders; to be considered in committee.

QUESTIONS.

Mr. HART to ask the Attorney-General,—1. Is it his intention to take any criminal proceedings against Mr. W. R. Bligh, late Clerk of Petty Sessions at Armidale, upon the charges of malversation of office and extortion, set forth in the report of Mr. E. D. Day, dated 9th February, 1859? 2. Has Mr. Bligh rendered his accounts as Clerk of Petty Sessions to the Government, and paid over all moneys received by him?

Mr. PLUNKETT to ask the Colonial Secretary,—1. Have any, and what steps, been taken for the preparation of jury lists for District Courts, in the newly-constituted districts, within the Southern District? 2. If any such steps have been taken, at what time? and in what manner? and in what districts, have such jury lists been prepared?

PARRAMATTA.

[FROM OUR CORRESPONDENT.]

POLICE COURT, WEDNESDAY.—Before Messrs. M'Rae and Lackey. Ellen Jones, an old offender, was found guilty of being drunk and disorderly, and this being her sixth conviction within the last twelve months, she was sentenced to three months' imprisonment.

Thursday.—Before Messrs. Simpson, Finch, and M'Rae. Rachel Agland and John Fletcher were each fined 5s., with the alternative of twenty-four hours in the cells, for drunkenness. Mary Roberts pleaded guilty to the use of indecent language, and in default of paying a fine of £2, was committed for one month. James Thuring was summoned for discharging firearms at Prospect on a Sunday, but the proof not being deemed sufficient, the case was dismissed, the Bench informing him that he had rendered himself liable to a penalty for carrying a gun on that day.

Saturday.—Before Messrs. Keyes and Woodriff. Mary Yates was convicted of making use of abusive and insulting language to a constable in the execution of his duty. The prisoner had but recently been discharged from gaol, where she had been confined for two months for a similar offence, and she was on this occasion sent for two months more. Robert Worster was fined 5s., and 3s. 6d. costs, for threatening and indecent language. Edwin Gould was summoned by Henry Watsford for detaining unlawfully a game cock of the value of £3. Mr. Lyons appeared for the complainant. Defendant alleged that the bird had been given to him by Watsford; this was denied, and Gould was ordered to restore it and pay the cost of the summons. Henry Watsford also charged William Ashby with the same offence. Mr. Lyons prosecuted. Defendant stated on oath that he had no game cock belonging to complainant, but had returned all that had been lent him with the exception of one that died. Dismissed. Henry Clegg pleaded guilty to having while drunk furiously driven a horse and cart in Church-street and was fined £2.

ACCIDENT.—Early on Saturday morning a man of the name of Brien, belonging to the invalid establishment, got into the middle of the river while intoxicated. As constable Mackay was coming off duty he heard that some one was drowning, and, going to the spot, rushed in and held him until the arrival of constable M'Cullum, with whose assistance he was extricated. Life was nearly extinct, but he was conveyed to the hospital, where Dr. Bassett was speedily in attendance, and rapidly succeeded in restoring animation.

BRAIDWOOD.

[FROM A CORRESPONDENT.]

On the 21st instant a meeting of the subscribers to the hospital relief fund was held in the Court-house. Mr. Maddrell was voted to the chair. Mr. Gurney then handed four letters to the chairman, who stated that they were letters of resignation as members of committee from Messrs. Gurney, Smith, Booth, and Grogan. These gentlemen, (said the chairman) are honorary members and plainly state that they will not act any more; we must therefore accept their resignation. The Rev. Mr. Kellyneck remarked that before closing with the last words of the chairman, this meeting might like to hear some explanation of the causes which had led to this disruption. In the propriety of adopting this course the meeting fully concurred. The retiring members of committee here stated that their principal reason for relinquishing office was inability to co-operate with one of its members, who, they alleged, continually insulted and annoyed them. The gentleman complained of having explained, it was proposed by Mr. Fell, "That the resignations be adopted." Mr. Cosgrove having seconded the motion, it was carried unanimously. The election of new members to take place on Wednesday. A vote of thanks was unanimously passed to the chairman, and the meeting separated.

During the last three weeks we have had copious falls of rain. Everything in vegetation is improving, *à vue d'œil,* a rich spring is anticipated, the crops look well, a great deal of land is under cultivation, cattle are devouring the growing clover, and dairy produce are beginning to find their way in town.

The inhabitants are highly pleased with the notice taken of the Braidwood lockup in the House the other night, and hope it will lead to some beneficial result. A reserve has been left for a gaol, and a great number of idle labourers now in the district, therefore this would be a good time to begin so needful a work as erecting a new gaol.

Another land sale took place in town. Mr. Wallis sold by auction, on Wednesday, 21st instant, five portions of land out of ten, being a division of one acre of land, the property of Mr. W. Terry, and situated in the centre of the town, No. 1, having a frontage of 33 feet by a depth of 99 feet to Wallace-street, was sold to Mr. Malone for £6 15s. per foot. Nos. 2 and 3, of the same dimension and similarly situated, were withdrawn at £6 per foot; No. 2 having 32 feet frontage to Wallace-street, by a depth of 99 feet, being frontage to the government reserve for a market, was sold to Mr. Rodd for £10 5s. per foot; No. 5, being a corner lot, with a private lane and the same reserve, having 36 feet frontage to the said reserve, by a depth of 117 feet, was sold to Mr. J. Rodd for £3 2s. 6d. per foot; Nos. 6, 7, and 8, were withdrawn at £2 per foot; No. 9, of the same dimensions as No. 5, was sold to Mr. Walker for £2 5s. per foot; and No. 10, the same as No. 9, to Mr. Walker for £2 10s. per foot. The total amount realised was £844 10s. Previous to the sale, one thousand pounds had been offered for the whole of this land. Mr. Wallis sold also at the same time, a farm of eighteen acres of alluvial land, situated at Farringdon, having seven acres cleared, farmed, and having produced one crop to Mr. Dugan, for £70.

Since the rain, flour rules a shade lower, and is expected not to rise this season. The supply of potatoes is still plentiful, and the price is about £8 per ton. Horse forage has had also a decline. Cheese, butter, and bacon command full rates. Eggs are very plentiful. Fresh butter is arriving, and 3s. per pound is easily obtained.

FIRST IMPRESSIONS OF ROCKHAMPTON.

THE *Age* of the 21st instant publishes the following communication from Rockhampton. The writer, Mr. W. Lockhart Morton, says:—

Now that the attention of the squatters of New South Wales, Victoria, and Tasmania is directed towards new fields as regions for pastoral occupation, it may not be uninteresting to your readers to hear something from time to time respecting this new territory and future great settlement. I, therefore, take the liberty of giving you a few notes of first impressions upon arriving at this locality.

* * * * * *

Proceeding from Keppel Bay up the river Fitzroy the attention of the traveller is soon directed to the importance of the scene opening out before him. At first he passes up through wide reaches, whose margins are densely lined with mangrove scrub, but, as the steamer sweeps round bend after bend, the country begins to open out into level well-grassed plains, admirably adapted for cattle, and probably suitable for the cultivation of rice or sugar. The flatness of the country for a considerable distance up from the bay has given to the River Fitzroy a tortuous course, and the too great width of the reaches and sheets of water prevents the flowing and ebbing tides from exerting their due influence in preventing the formation of sand-banks. This is an unfortunate circumstance, as, except at high tide, in several places there is not a depth of more than nine or ten feet. This must for some time be a great drawback to the settlement, yet much might be done in marking out the proper channel; but, with a few exceptions, all is in a state of nature. Upon getting within eight miles of Rockhampton the river becomes narrower, the banks higher, and splendid straight sheets of water, from three or four hundred yards wide, open out before you. As you arrive at Rockhampton you are impressed with the importance of the place as a site for a town or large city. The bank here rises with a gentle slope from the river to the height of about forty feet, and a thinly wooded plain thence stretches away to the south. It was on such spots as this that the ancients founded their cities, and no better site for a large city can well be conceived than that upon which the township of Rockhampton has been placed. As you land and look around, you are irresistibly impressed with the conviction that before you lies the site of a great city of the future—one of Australia's most important settlements. Its geographical position, its noble river, its splendid site, the extent and reported excellence of the interior—all foretel future greatness for Rockhampton. Should a remunerative gold field, or fields, be discovered (and, judging from what I have already seen, I believe that this contingency is not only probable but certain), then the advancement of this new settlement will be greatly hastened. At present there are in Rockhampton from three to five hundred inhabitants. The buildings extend chiefly along the brow of the river bank, and are of every description, from tents, bark and slab huts, to buildings of imported sawn timber. It is a remarkable circumstance, and clearly demonstrates the obtuseness of the official mind, that in this township of twelve months the very same mistake as that which disfigures Melbourne has been committed, back streets of the width of twenty feet having been laid out. It is needless to pass a remark as to the absurdity of having streets of this width in a tropical climate, as every one knows they should be of more than usual width to allow of rows of trees being planted on each side. But the error, if now altered, might be easily done, whereas, if it is allowed to remain long unremoved, it will be as impossible in the case of Rockhampton as of Melbourne. There are already four hotels here, and two more are being built. There is no minister of religion, but there is a church built by subscription. I am informed prayers are read in it on Sunday by the clerk of the Bench. The inhabitants seem a very kind and well conducted people, and have reminded me strongly of early days in Victoria.

When I have seen the interior fully I will again let you know, more perfectly, what are my impressions of this rising place. All I shall now say furnher is, that I believe this place only requires to be known better to cause an increase of its population both in town and country. The encouragement to stock and settle the country is not the same as was enjoyed by Victoria; were it so, it would doubtless all soon be stocked. I have only to say that, if a new country is intended to be quickly settled, the Government should not look to extorting from its struggling settlers any revenue beyond what is necessary for police protection.

I had almost forgot to mention that there is no such thing here as a newspaper of any description, but what answers the purposes of advertising is a stump of a tree, upon which written advertisements are pasted up. I believe that there might now be here an opening for a small weekly paper. At any rate, it is probable some attempt will ere long be made to establish a paper, and I have no doubt that, notwithstanding uphill work at first, it would ultimately be a successful undertaking. There is here a branch of the Joint Stock Bank, and the business is conducted in a neat wooden building, built in the street fronting the river.

COCKNEY COMMENTS ON PASSING EVENTS.

BY PETER 'POSSUM.

London, July 2nd.

WAR NOTES.

Another great battle. Three hundred thousand men engaged in internecine contest from dawn to dusk—the roar of their cannon drowned towards the end of the conflict by the rumble of the dread artillery of the skies, as though God audibly expressed his anger at the horrid carnage—the battle-field heaped with corpses, hell-like with "cries of the wounded"—the Austrians in full retreat across the river that—led, like sheep to the shambles, by their rash young Kaiser—they had vainly repassed but a few hours before—the French, weary with slaughter, too fatigued to give their obstinately gallant foes the *coup de grace*; such, stenographically, is the record of the battle of Solferino—the greatest battle that has been fought in Europe, in the world, for fifty years.

Like fire in dry furze, like billows weltering over level sands, the French have swept through their foes and covered Lombardy. Louis Napoleon, who was thought a coward, has proved himself brave as a lion, standing unmoved beneath a very hailstorm of hurtling shot. The amateur General who, until this just-begun and yet just-finished campaign, was merely a crowned Cassio—by good luck, say the few lingering sneerers; by the best of management, say the vast majority of military observers—has so set his squadrons as to baffle men who have made war the study of their lives,—to gain victories greater than his uncle's. Verily, I begin to believe in the Napoleonic "star." The man whom we have all been loathing and laughing at—parasites of prosperity that we are—we now pronounce a Barak. Notre-Dame *Te Deums* assume in our eyes the dignity of the song of Deborah. Francis Joseph, satisfied with one defeat, hurries back to Vienna, and leaves Marshal Hess to bear the responsibility of future failures. Backed by its famous "quadrilateral," the Austrian army stands on the left bank of the Mincio like a stag at bay. Hungary simmers with impending revolution. The traditional fidelity of the Tyrolese falters—rumours are afloat that *they* will not stand sentry over their Alpine passes.

What will the end be?

If I thought that it would result in freedom to the oppressed, I should rejoice in Austria's discomfiture. But can the most utopian of optimists believe that Italy's deliverence—not dynastic aggrandisement, or Moloch fame—is the motive that has induced Louis Napoleon to take up arms? Or, leaving him out of the question, will the French soldiery be content with driving the Tedeschi "from the Mediterranean to the Adriatic?" Will they not, like tigers that have tasted blood, clamorously demand fresh prey? Prussia already trembles for her Rhenish provinces—the Bürschen chant the Rhine-song as of old. The thunder-cloud that gathered on the Alps' southern slopes is fast deepening in density and darkness, and swiftly spreading over Europe.

Prince Plon-Plon, meanwhile, is pleasantly playing at soldiers. He does not move his army until the hardest of the fighting is over; and when ordered to join his sincerely bellicose cousin, takes a line to the point of rendezvous which "Napoleon (Jerome)" may think right, but Euclid certainly would never have called so. The Italians, nevertheless greet him upon his route as a veritable hero—their Church may well have its head-quarters amongst a people so insanely credulous. When entering Massa the other day, he was met by a bevy of its fairest damsels, clad in white, and decked with flowers. Two of them seized his reins; the remaining ten arranged themselves in a rank upon each side, and thus escorted, the *Cheure gras,* proceeded in pomp to the Cibo palace. With a beautiful bridle-holder on each arm, and followed by his decade of distractingly lovely guards, the fat beast mounts the marble staircase until he reaches the door of his private apartments. To the latter, then he bows; the former he kisses; and they lingeringly retire, overwhelmed by his imperial condescension. Poor fools! They have received a salaam, and a salute from the most stupid man in Europe—and they regard them as honours! "None but the brave deserve the fair," says the poet. The fair don't deserve the brave, says Peter, if they can worship that lump of obesity.

War, by their fatal "arms of precision," slashing sword-bayonets, and rifled cannon, is already revolutionised. Further developments are just bursting from the bud. Aeronauts have reached the French head-quarters with steerable balloons, in which generals may make reconnaisances in the air—literally take a bird's eye view of the enemy's position.

England again, applying modern science to the old naval tactics, is constructing an iron-sheathed monster to weigh 9000 tons, and to rush against a foreign fleet at the rate of sixteen knots an hour—a force sufficient to sink a ship the size of the Great Eastern in three minutes! This truly may be christened the Leviathan. "His scales are his pride, shut up together as with a close seal * *. When he raiseth up himself, the mighty are afraid; by reason of breakings * * * *. He maketh the deep to boil like a pot * * *. Upon earth there is not his like * * *. He is a king over all the children of pride."

MINISTERS ON THE HUSTINGS.

A few chartists ran down to Tiverton last Monday, lured by the hope that Dr. Bernard would propose, and Mr. Alsop second, a candidate of their creed, in opposition to the Premier. But though *Bonus Bernardus non videt omnia,* his modern namesake saw that it would be no go to attempt to unseat the popular Viscount, and Mr. Alsop kept the alegar with which he had meant to asperse him bottled. The chartists found that there was not a shadow of a chance of their carrying their point and points, and returned to London disconsolate, whilst Lord Palmerston, without leaving it, was returned triumphantly.

Lord John Russell met with similar success in the city; his proposer being Mr. David Williams Wire.

The Home Secretary, down at New Radnor, forgot that he was a great schoolar and ex-editor of the *Edinburgh Review,* and gave as many of his Welsh audience as understood it a capital common-sense speech. If Truth lies at the bottom of a "Well," Sir Cornwall Lewis's oration ought to be most veracious; that self-satisfied exclamation introducing every second sentence. He, too, was returned without opposition. So was Sir George Grey for Morpeth. But though the Chancellor of the Duchy of Lancaster returns to St. Stephen's unchallenged, the Chancellor of the Exchequer has been subjected to a most virulent opposition. He has beaten the loutish lord, his opponent, however, by a majority of nearly two hundred. The Dean of Christ Church proposed Mr. Gladstone in a speech the Latinity of which every one is lauding—especially the scribes who get up their classics from the *Dictionary of Quotations.* It would be odd, methinks, if a man who has been reading and writing Latin all his life could'nt menage to refrain from breaking Priscian's head in a composition of six sentences. The concluding sentence of this donkey's gallop oration lays down a doctrine which candidates, I fancy, would like to have extended to boroughs and counties. Of a University representative, says the Dean, *Semel electus, semper eligatur.*

The President of St. John's who proposed the Marquis of Chandos, described him in Aristotle's words, as a τετράγωνος ἄνευψόγου—"a phrase," the *Times* reporter interpolates, "usually translated 'a brick and no mistake.'" In this case, I think, "a jog-trot Euston-square official" would be a more appropriate rendering.

Mr. Thackeray no longer aspires to a seat in Parliament, and Mr. Cardwell, accordingly, met with no rival for the representation of the town of Oxford. The most noticeable feature in his speech is a beautiful Shaksperian application. Speaking of England and the land for which he is to be Secretary, he said that they should be

Like to a double cherry, seeming parted
But yet a union in partition;
Two lovely berries moulded on one stem:
So with two seeming bodies, but one heart.

The Attorney-General at Wolverhampton hinted to his constituents that he might have been a judge, and that, therefore, they ought highly to prize his condescension in continuing to serve them. Like the Solicitor-General for Reading, he had only to be nominated to be elected. Sir Charles Wood had the same luck at Halifax. The Secretaryship of State for India is the office of this not very brilliant baronet—the least efficiently filled in the whole cabinet—why should respectable mediocrity be always pitched upon for such a post?—but remembering he was once First Lord (when, says *Punch,* he wanted to send the Buoy at the Nore with a message, and, hearing that a ship had missed stays, gave an order to Madame Mantalini to supply them), he must needs go out of his way to have a fling at the late Admiralty—about the only part of the late Government that did its duty. Lord John Russell showed far better taste in complimenting, in *his* election speech, Sir John Pakington on his activity. Sir Charles Wood scolded him as an old woman, whose husband has been lured away from her, abuses her rival, because Sir John *launched* ships that his predecessor *built,* and called them *his.* So long as they *are* launched, the nation doesn't care a straw who happened to be in office when the keels were laid down.

Passing over lesser lights, such as "white-headed Bob," now once more the Right Honorable Robert Lowe—we come to the ditto Sydney Herbert and Milner Gibson, both elected without opposition. Office already begins to tell upon the latter. If he goes on getting so rational as his election speech shows him to be growing, I fear the Ashton electors will spur him out of their borough as a Laodicean reformer. It is not yet known whether his celebrated *confrere,* Mr. Cobden, will accept office. He has just returned from America. However, the Duke of Newcastle assured the Lords on Thursday that no peace-at-any-price whims would be listened to in the Cabinet. [Since I wrote this Mr. Cobden has declined office.] Both on the hustings and in their speeches on the opening of Parliament. Ministers echoed the national wish for absolute neutrality, but they also echoed the national resolve to be prepared against a world in arms. It will take a great deal to make the English go to war, but woe betide the people or potentate that compels us! Reform, I scarcely need add, is shelved for this session. A Reform Bill would interfere with grouse and partridge shooting; and what are greasy workmen's liberties compared with hon. gentlemen's licenses?

MONSTER MUSIC.

A few statistics in reference to the late Handel Festival may prove interesting to my antipodean readers. The gross receipts were £35,000; the expenses £17,000. The stalls occupied a space fourteen times as large as that crowned by the Dome of St. Paul's. Eight thousand music books were used—they weighed three tons—and if piled one upon another, would have formed a Pelion or Ossa of harmony reaching from the thronged floor of the Crystal Palace to the highest curve of its glittering roof! England may be a tiny spot, but it bangs the world in the magnitude of its enterprises.

A PRETTY MAN PROFITABLY EMPLOYED.

The Rev. G. T. Pretyman, son of the late Sir George Pretyman Tomline, Baronet, Bishop of Lincoln and Winchester, has just departed to the land where mitres fall from Tomlines, and curates are at rest. Through the patronage of his fond father, it appears, he had obtained the following snug little "plump" of pluralities:—

	£	s.	d.
Chancellorship of Lincoln, 1814	1743	18	3
Prebendal stall of Stoke, 1814	208	0	0
Rectory of Wheathampstead and Harpenden, 1814	1591	0	0
Perpetual curacy of Nettleham, 1814	45	0	0
Rectory of Chalfont, St. Giles', 1817	850	0	0
Canonry of Winton, 1825	755	0	0

—pocketing thus, for forty-five years' service of Him who had not where to lay his head (Mr. Pretyman had the choice of four rent-free houses), very nearly a quarter of a million! *His* godliness—surely accompanied with contentment—verily was great gain.

A waggish correspondent of the *Times* remarks:

It is perfectly clear that the Right Rev. Sir George Pretyman Tomline, Bart., Lord Bishop of Lincoln and Winchester, was not one who "denied the faith," inasmuch as "he provided for his own, especially for those of his own house." (1 Tim., v. 8.)

COUNTRY LAND SALES.

On MONDAY, 17th OCTOBER, at eleven o'clock.

AT THE POLICE OFFICE, BALRANALD.

TOWN LOTS.—County unnamed. Parish of Balranald. Town of Balranald: Lots 1 to 22, 2 roods each. Parish of Euston. Village of Euston: Lots 23 to 42, 2 roods each. Upset price, £8 per acre.

AT THE POLICE OFFICE, DENILIQUIN.

COUNTRY LOTS.—County unnamed. Parish of North Deniliquin. On the right bank of the Edward River, immediately above the town of Deniliquin: Lot 1, 25 acres; lot 2, 22 acres; lot 3, 44 acres; lot 4, 51 acres. Upset price, £1 per acre.

TOWN LOTS.—County unnamed. Parish of North Deniliquin. Town of North Deniliquin: Lots 5 to 14, 1 acre each. Parish of South Deniliquin. Town of South Deniliquin: Lots 15 to 85, 2 roods each. Upset price, £8 per acre.

On THURSDAY, 29th OCTOBER, at eleven o'clock.

AT THE POLICE OFFICE, GLEN INNES.

SPECIAL COUNTRY LOTS.—County unnamed. Parish of Glen Innes. Within the Glen Innes Reserve: Lot 4, 20 acres; lot 5, 16 acres; lot 6, 14 acres. Upset price, £2 per acre.

SUBURBAN LOTS.—County unnamed. Parish of Glen Innes. Within the Glen Innes Reserve: Lots 7 and 8, 8 acres each; lots 9 and 10, 7 acres each; lots 11 and 12, 5 acres 2 roods each; lots 13 and 14, 5 acres each. Upset price, £2 10s. per acre.

TOWN LOTS.—County unnamed. Parish of Glen Innes. Town of Glen Innes. Lots 15 to 24, 1 acre 1 rood 10 perches each; lots 25 to 26, 2 acres 2 roods each; lots 30 to 49, 1 acre each; lots 50 to 59, 2 roods 32 perches each. Parish of Wellingrove. Town of Wellingrove: Lot 60, 1 acre 20 perches; lot 61, 1 acre 2 roods; lot 62, 2 roods; lot 63, 1 acre 3 roods 20 perches. Upset price, £4 and £8 per acre.

National Library of Australia http://nla.gov.au/nla.news-page1490102

SHIPPING.

ARRIVAL.—SEPTEMBER 26.

Zone, schooner, 96 tons, Captain Beer, from Chatham Islands 20th ultimo. E. M. Sayers, agent.

DEPARTURE.—SEPTEMBER 26.

Sampson (s.), for the Macleay River.

PROJECTED DEPARTURES.—SEPTEMBER 26.

Lady E. Bruce, for Callao; Siam, for Bombay; Autumnus, for Kiapara; London (s.), for Melbourne.

COASTERS INWARD.—SEPTEMBER 26.

Cecilia, from Pitt Water, with 500 basket shells; Nowra, from Wollongong, with 45 tons coals; Lightning and Jessie, from Manning River, with 823 bushels maize, 20 hides, 120 felloes, 5 boxes eggs; Titania, from Broulee, with 21 tons potatoes, 91 bags wheat, 14 hides; Margaret, from Morpeth, with 97 bags bran, 100 bags flour, 220 bags maize; Agnes, Absalom, and Reindeer, from Brisbane Water, with 26,000 feet timber, 2000 palings, 400 baskets shells, 40,000 shingles; Unknown and Pacific, from Newcastle, with 155 tons coal; Elizabeth, Industry, and Guiding Star, from the Hawkesbury, with 21 tons wood, 1990 bushels maize, 19 bags oats, 6 coops fowls, 12 boxes eggs, 10 hides; Collaroy (s.), from Morpeth, with 130 sheep, 11 pigs, 5 coops fowls, 7 cases eggs, 18 quarters beef, 1415 ounces gold, 106 sovereigns.

COASTERS OUTWARDS.—SEPTEMBER 26.

Messenger, for Pitt Water; Nonparell, William Hezlet, for Macleay River; Maid of Australia, for the Hawkesbury; Cyclone, Goldseeker, and Adelaide, for Richmond River; Cumberland, Albion, Nancy, Sacramento, and Little Pet, for Newcastle; Agnes, Absalom, Sylph, Uncle Tom, for Brisbane Water.

IMPORTS.—SEPTEMBER 26.

Zone, from New Zealand: 107 tons potatoes, 280 bushels wheat, E. M. Sayers.

SHIPS' MAILS

Mails will close at the General Post Office as follows:—

FOR KIAPARA.—By the Autumnus, this day, at noon, if not underway.

FOR BOMBAY.—By the Siam, this day, at noon, if not underway.

FOR CALCUTTA.—By the Ocean Rover, this day, at noon.

FOR TAHITI.—By the Cheetah, this day, at noon.

FOR MELBOURNE.—By the London (s.), this day, at 2.30 p.m.

FOR WIDE BAY.—The Waratah (s.), on Wednesday, at 5·30 p.m.

FOR GRAFTON.—By the Grafton (s.), on Wednesday, at 5·30 p.m.

FOR QUEENSLAND.—By the Telegraph (s.), on Thursday, at 5·30 p.m.

CUSTOM HOUSE.—Entered Outwards: September 26: Lady Denison, brig, 129 tons, Captain M'Kinlay, for Launceston; London (s.), 700 tons, Captain Cottier for Melbourne; Queen of England, ship, 1195 tons, Captain Nolan, for Guam.

NEW VESSEL.—A new schooner will be launched at Pelican, Manning River, on the 27th instant: her dimensions are as follows:—Keel, 56 feet; beam, 18 feet; depth in hold, 6 feet 6 inches; ready rigged; sails bent, and fully equipped for sea. The builder is Mr. Alexander Newton.

The Zone left the Chathams on the 29th ultimo, and after contending against heavy gales for several days was compelled to come round the North Cape, finding it impossible to get through Cook's Straits. She has lost her bulwarks, &c. No vessels are reported.

In the manifest per Blue Jacket, 35 hogsheads, 2 packages, to G. Moses, should have been G. Moss.

The Rebecca sailed from Bellambi, for Melbourne, on the 24th, having taken in a cargo of 200 tons coals in 16 hours.

THE WARATAH STEAMER.—This favourite vessel will resume her station in the Wide Bay line to-morrow; since her withdrawal for the purpose of repairing, her machinery has been taken to pieces, her boilers lifted, and so thoroughly repaired as to be quite equal to a new set. She made a trial trip on Saturday last, and everything worked admirably; she will be commanded as before, by Captain Knight, so well known and respected in the trade.

A barque to the southward and schooner north, were signalled last evening, but the wind continued too light for them to enter.

NEWCASTLE.

ARRIVALS.

September 24.—Creole, schooner, 144 tons, Carte, from Sydney, with 50,000 feet Oregon timber, 7 tons potatoes, 30 tons railway plant.

September 24.—H. M. Warfield, barque, 157 tons, Campbell, from Sydney.

DEPARTURES.

September 24.—Express, schooner, Kendall, for Melbourne, with 234 tons of coal.

September 25.—Martha Ellen, schooner, Hill, for Melbourne, with 160 tons of coal.

COASTERS INWARDS.

September 24.—Pacific, Harp, Shamrock, Lavina, Mountain Maid, Trial, Minerva, Caroline, Ranger, Venus, Lydia, Tiger.

September 25.—Margaret Elizabeth, Unity, Star of the North.

MELBOURNE.

ARRIVAL.

September 25.—Ocean Queen, from Sydney.

DEPARTURES.

September 24.—Zoobeal, for Calcutta; Lord Raglan, for Siam.

September 25.—Danorian, Black Swan, for Guam; Black Swan (s.), for Launceston; Athol, Ellen Simpson, Adolphus, for Newcastle.

WINDS AND WEATHER.

September 26, 9 a.m.—Queenscliffe, W., fine.
Albury, E., cloudy.
Gundagai, E., rain.
Yass, N., cloudy.
Goulburn, S.E., cloudy.

OTAGO.

ARRIVALS.

August 29.—Thomas and Henry, from Mauritius, cargo 2980 bags sugar.

AUCKLAND.

ARRIVALS.

August 30.—British Queen, from London.

September 1.—Spray of the Ocean, from London.

September 2.—Gil Blas, from Newcastle.

September 5.—Sir George Pollock, from London.

September 6.—Gazelle, from Sydney.

The Gazelle, Captain Cunningham, arrived from Sydney, on Monday night, after an unusually tempestuous passage of nine days and a half. She took her departure from Port Jackson Heads on Saturday, the 27th ultimo, at 7 a.m., with the wind at north-west, a light breeze. On Tuesday, the 30th, at 4 a.m., the wind having hauled round to south west, it blew in terrific squalls, with thunder, lightning, and rain; took in all light sails, stowed the jib, and scandalized the mainsail—a tremendous sea running, ship labouring greatly and taking in water. It blew very hard all that day, and the ship was put under snug canvas. Throughout the early part of the 31st, experienced strong south-westerly gales, with hurricane squalls, accompanied by thunder, lightning, and rain, and a wild and confused sea. At 8 p.m., on Wednesday, the wind and sea continuing to increase, made all snug aloft, and hove-to, for fourteen hours, under close reefed foresail and staysail. On Thursday the 1st, at 4 a.m., shipped a tremendous sea, which made a clean sweep of the port bulwarks and stanchions from the cathead to abaft the fore channels, carried away part of the starboard gangway, started the bulwarks in several places, smashed the galley and water closet, stove the long boat, set the decks afloat, large quantities of water pouring down into the steerage and cabin; weather moderated towards the afternoon. On Friday, shortly after noon, the wind began to blow hard from the north-west; shortened sail. On Saturday, 11.45 a.m., sighted the Three Kings north by east, distant eight miles; blew hard, with a high sea running throughout the day, the vessel labouring greatly and shipping quantities of water. Rounded the North Cape at 8 p.m., then blowing a terrific gale. Wind moderated at 2 a.m., on Sunday, and by noon the little Barrier was in sight distant about 8 miles. Throughout Monday the weather was light, approaching to calm, causing the schooner to come to abreast of the flag-staff hill shortly after 7 p.m.—*New Zealander*, September 7.

THE AIREDALE.—The steamship Airedale having had her screw fixed and her machinery fitted up, at our natural dry dock, she came off the bank yesterday morning, the 16th instant, and steamed up to the Albion Wharf. We took this opportunity, therefore, to pay a hasty visit of inspection. The Airedale is a screw vessel of 300 tons register, and about 500 tons burthen; built by Richardson and Co. of Stockton-on-Tees (the builders of the Tasmanian Maid). She is propelled by two steam-engines of thirty-five horse-power, nominal, and fitted with a patent apparatus for economising fuel. The Airedale was last in the possession of the Earl of Cardigan, as a steam yacht, and she has earned for herself an excellent reputation as a capital and fast sea boat. The cabin accommodation is at present limited, but as soon as the cargo for Canterbury is discharged, she will proceed to Sydney. The cabin will then be greatly extended; and the whole internal arrangements of the vessel altered so as to adapt her to the trade she has entered upon.—*Nelson Examiner*, August 17.

GREAT SOUTHERN RAILWAY.

SYDNEY STATION.—DOWN TRAINS.

Dist.	Stations.	Pass	Mail	Passenger	Mail	
Miles	Leave—	a.m.	a.m.	p.m.	p.m.	p.m.
0	Sydney	5·50	10· 0	2· 0	4·35	5·45
2	Newtown	6·57	10· 7	2· 7	4·42	5·52
3	Petersham	7· 2	10·12	2·12	4·47	5·57
5	Ashfield	7·10	10·20	2·20	4·55	6· 5
6½	Burwood	7·17	10·27	2·27	5· 2	6·12
7¾	Homebush	7·24	10·34	2·34	5· 9	6·19
13½	Parramatta	7·40	10·50	2·50	5·25	6·35
17¾	Fairfield	7·53	11· 8	3· 8	...	6·52
22	Liverpool	8·10	11·20	3·20	...	7· 5
34	Campbelltown	8·45	11·55	3·55		7·40

A Goods Train will leave Sydney at 10·15 a.m.

CAMPBELLTOWN STATION.—UP TRAINS.

Dist.	Stations.	Mail	Pass	Mail	Pass	Mail
Miles	Leave—	a.m.	a.m.	a.m.	p.m.	p.m.
0	Campbelltown	...	7·35	10·45	2·45	5·15
12	Liverpool	...	8· 5	11·15	3·15	5·45
16½	Fairfield	...	8·23	11·34	3·34	6· 4
20½	Parramatta	7·35	8·35	11·47	3·47	6·17
26½	Homebush	7·51	8·56	12·10	4·10	6·40
27½	Burwood	7·57	9· 2	12·16	4·16	6·46
29	Ashfield	8· 4	9· 9	12·23	4·23	6·53
31	Petersham	8·12	9·16	12·31	4·31	7· 1
32	Newtown	8·16	9·21	12·36	4·36	7· 6
34	Sydney	8·25	9·30	12·45	4·45	7·15

A Goods Train will leave Parramatta at 1 p.m.

SUNDAY TRAINS.

DOWN TRAINS will leave Sydney at 8·30 a.m. 2·30 p.m. and 5 p.m for Parramatta and Campbelltown.

UP TRAINS will leave Campbelltown for Sydney at 8·15 a.m. and 4·45 p.m.; from Parramatta 9·24 a.m. 3·30 p.m. and 5·54 p.m.

GREAT NORTHERN RAILWAY.

NEWCASTLE STATION.—DOWN TRAINS.

Dist.	Stations.	Mixed Trains.		Sunday Trains	
Miles	Leave—	a.m.	p.m.	a.m.	p.m.
0	Newcastle	7·30	2·45	7·30	3· 0
1	Honeysuckle Point	7·38	2·53	7·38	3· 8
4	Waratah	7·48	3· 8	7·48	3·18
10½	Hexham	8· 8	3·23	8· 8	3·38
18	East Maitland ... arrive	8·30	3·45	8·30	4· 0
	depart	8·35	3·50	8·35	4· 5
20	West Maitland	8·45	4· 0	8·45	4·15

MAITLAND STATION.—UP TRAINS.

Dist.	Stations.	Mixed Trains.		Sunday Trains	
Miles	Leave—	a.m.	p.m.	a.m.	p.m.
0	West Maitland	9· 0	4·15	9· 0	4·36
2	East Maitland ... arrive	9·10	4·25	9·10	4·40
	depart	9·15	4·30	9·15	4·45
9	Hexham	9·37	4·52	9·37	5· 7
16	Waratah ... arrive	9·57	5·12	9·57	5·27
	depart	10· 0	5·15	10· 0	5·30
19	Honeysuckle Point	10·12	5·27	10·12	5·4
20	Newcastle	10·15	5·30	10·15	5·4

UNDER A DEED OF ASSIGNMENT.—The sale of the stock-in-trade of Britannia House, Lower George-street, consisting of general drapery, clothing, patent sewing machine, &c., will commence this day, Tuesday, at eleven o'clock precisely, by auction, and continue till six p.m. The trade, buyers for the interior, and others, are respectfully invited to attend, punctually at eleven o'clock, by the auctioneer, Robert Muriel.—ADV.

DIARY.

MEMORANDA TO THE NEXT PUBLICATION.

September		Sun Rises	Sun Sets	High Water, Morn.	High Water, After.
27	TUESDAY	5 45	5 55	8 15	8 35

TO CORRESPONDENTS.

No notice can be taken of anonymous communications. Whatever is intended for insertion must be authenticated by the name and address of the writer; not necessarily for publication, but as a guarantee of his good faith.

We cannot undertake to return rejected communications.

The Sydney Morning Herald.

TUESDAY, SEPTEMBER 27, 1859.

WE do not share in the astonishment with which the proposition of Dr. LANG, to separate the colonies from the parent country, was heard for the first time in the Assembly. It is some years since Earl GREY charged the rev. gentleman with deliberate swindling; and when quitting England, he threatened the minister with a grand revenge. On his arrival in this country, he attempted to put that threat into operation. A mighty association was formed to sever the British connection, but notwithstanding the patronage of one or two aldermen, it gasped and died.

The discontent created by the transportation policy of England afforded another chance. A large meeting was held in the stores of Mr. MORT, to appeal to the justice of Great Britain. Dr. LANG was there, and endeavoured to change a loyal remonstrance into a puerile threat of rebellion.

There has been no response in the colonies to these attempts of Dr. LANG. Self-government has placed the previous administration of Great Britain in a more favourable light. The colonies are permitted to have their own way, reserving a few sovereign prerogatives which scarcely ever come into practical collision with colonial movement. The people are allowed to govern themselves—to frame their own Constitutions—to appoint their own Ministers, and to indulge to the utmost their fancy for experimental legislation. "What can these radicals want?" said a lady, on hearing the resolutions of Dr. LANG, referred to. "Are they not permitted to make asses of themselves as much as they like?" Undoubtedly they are; they have availed themselves of the privilege, and reduced to zero among sober liberals the desire for independence of a superior and controlling power.

There is no man in the community who possesses property and education but daily consoles himself that, after all, the circle in which mischief can operate is narrow—that the power to do wrong is limited to municipal and financial questions. We are still Englishmen. We have a higher citizenship than that which a colony can confer. We are not aliens from that country to which we still look at once for guidance and protection. If faction should become dominant and persecuting; if it should invade the rights of property; if it should give unlimited license to demagogism, we have still the power to retreat behind the throne. We can carry our cause from an unrighteous judgment, to the first legal tribunal in the world. And is this a privilege with which we are disposed to part?

And what is the reason assigned for this separation? That England is exposed to war! We do not wish to disguise any portion of the truth. There can be no doubt that our exposure to war is the most serious, if not the sole inconvenience of our British connection. This, however, is only one part of the truth. If we are exposed to war, we are entitled to protection. Weaker than the weakest of the European Powers, we should be exposed to their insults and oppression at any moment, were it not that they recognise in these colonies valued dependencies of the British Empire. They form a widely different opinion from that held by some of our politicians as to the importance of these colonies. They see that while on the one hand we are continually drawing from the Parent State capital, population, intelligence, enterprise—all that elevates and expands—we are throwing back into England the produce of our industry, and the gold of our mines.

There are dangers arising from this connection, but there are securities too. We borrow our money at a cheaper rate because we are connected with England. We escape many expenses and cares of Government in consequence of that union. All our external relations are provided for. Not less than thirty ships of war belonging to England have hovered about our ports during the last few years. Dr. LANG will no doubt tell us that if we were not a dependency of England we should enjoy the respect of the whole universe, and that foreign powers would never think of treating us with injustice or preying upon our commerce. But what part of history does he find to support this view? Was Tahiti respected, and her independence preserved on account of her weakness? Are the Republics of Central America any the more safe from being independent States, or less liable to the intrusion of marauders or foreign enemies? Is there any reason to suppose that in the commercial intercourse which must be carried on by these colonies with the American and French people, they would pay us greater respect because we had not a single vessel of war, or could not make a momentary resistance?

We do not attribute to either of those nations a greater disposition to be unjust than may be imputable to our own; but this we may say—that power to do wrong is almost invariably followed by the disposition to do wrong. False claims would be set up. Sinister representations of insolent agents would be accepted. States disposed to quarrel would rely upon their own channels of information, and we should have no alternative but to purchase safety by mean and expensive concessions. If this be disputed, let any one point his finger to a single example that will warrant an opposite conclusion. Let witnesses be called even from any part of the British Empire. Will Ireland say that the powerful are not disposed to oppress? Was Scotland not always involved in wars and jealousies while she remained a separate state? Is it not charged upon England by the whole world that she has bowed down to the strong and oppressed the weak? We are aware that these imputations are to a large extent unjust—that they are the mere utterances of faction within, and envy without; but if our own history will not justify the belief that the weak cannot depend upon the forbearance of the strong, what right have we to imagine that foreign countries will respect our independence, or refrain from profitable oppression?

The answer, no doubt, will be that England will protect us! What! Would England employ her forces for the protection of a country that repudiated her sovereignty to escape the consequences of her wars? Do we not find that all those States which enjoy the protection of a superior Power are not only subject to its influence, but are compelled also to participate in its quarrels. What is the confederation of Germany? or what that union of States proposed for regenerated Italy but the participation in a common risk in order to enjoy a common security? Australia, if under the shadow of English protection, must share in the British policy. She has not yet the strength to maintain her independence. With the present means of communication—the modern appliances of war—the immense wealth concentrated in a small space—all these things make it an utter absurdity to imagine that we should have any alternative but to obey whatever Power might choose to issue its mandates. Instead of being allied to a people who have learned the art of colonisation—with whom personal liberty is sacred—who have conferred free institutions in their plenitude, and in absolute good faith, we might find ourselves dragged at the chariot wheels of some despotic Government, and compelled to assume an attitude which would be as fatal to our own interests as pernicious to the country from which we sprung. We are not disposed to overrate the influence of a common origin, language, and religion; but, nevertheless, its power is great, and there can be no question that a sympathy for the Australian colonies would be felt at home such as they could never command from any nation having none of these affinities. A blow struck here would be felt instantly in London, just as a blow struck in London would be felt in the colonies. There are a thousand watchful eyes turned from the common centre of British authority towards these countries. They have all the interests of trade and affection to stimulate. We can therefore not only calculate upon help as the duty of a parent State towards a dependent colony, but also as the natural effect of that sympathy which has been never yet violated by serious injustice, and which here has all the warmth and freshness of youth.

Let us not imagine that any declaration of independence we might make would have the slightest effect in disarming a foreign power seeking to revenge itself upon England. No foreign power could recognise these colonies except when at war with Great Britain, and being at war would that acknowledgment be granted? Would it not be plain that our independence was collusive? That founded upon no grievances it would not probably survive a general peace? We can easily imagine France turning up a people like the Hungarians who are without trade—without moveable wealth, and strongly opposed to the Government under which they live. There might be on both sides a guarantee of the sincerity and reality of a declaration of independence; but at all events a foreign power if at war with England would avail itself of the gold and silver lodged in our coffers, and would seek to console us with the assurance that our losses would ultimately fall upon the monetary interests of England!

The time will come, no doubt, when these colonies will take upon themselves all the responsibilities of an independent state. This was foreseen even when Dr. LANG was besieging the British Treasury, and demanding the salary of a minister of Scotland in virtue of the pure loyalty of his church. Our statesmen—Lord JOHN RUSSELL amongst the rest—have referred in eloquent terms to this future probability, and represented to England that it was her duty to prepare the colonies for the responsibilities of their probable future. But this may come in another shape. It is not at all impossible that in the new organization of nationalities, a closer union than ever was contemplated may subsist between the Anglo-Saxon States. England, America, Canada, Australia, all one mighty confederation, governed by a general system of international laws, and regulating their foreign policy by a periodical Congress—such is at present the dream—the hope—of many intelligent men.

This confederation would constitute them one in peace and war. It would contemplate the very opposite of that proposed by Dr. LANG's resolutions. If, however, Australian independence be only a question of time, the point for our determination is, has that time arrived? Is our Government sufficiently settled? Have we the means of federative action? Have we strength enough to defend our own? Should we have a class of statesmen like those of America, which passed through the purifying process of a long and desperate war, and from the very danger of its position sought out the wise and patriotic? Or should we in our premature independence see the same class of men seize the sword of the State, as have in the South American colonies exhibited all the extremes of anarchy and despotism? Would there be any material difference between Dr. LANG, as the supreme arbitrator of our fate and those American chiefs whose Government is one system of tyranny and massacre? At present, all that the DOCTOR is capable of doing, is to pervert a mob or bamboozle a jury, but woe to the land in which such men bear rule.

We say nothing now of those feelings of loyalty which bind us to the parent state;—nothing of the repugnance of Englishmen to avoid a danger by slinking from a duty;—nothing of our interest in those great traditions which have ennobled our race;—nothing of that personal affection felt by almost every Englishman towards the great princess who holds the sceptre of the British empire; but we put our opposition to these resolutions on the simple fact that their author has no case.

ONE of the most useful novelties lately introduced into England, with respect to the education conducted by the masters of proprietary and private schools, has been the middle class examinations instituted by the university of Oxford. They had the effect of putting these seminaries on their mettle, exposing some, and conferring honour on others. It brought to a public and definite test, schools, which, from the fact of their being private, are amenable to no official inspection, and awakened a spirit of emulation that can hardly fail to have very beneficial results.

An attempt is now being made to introduce into South Australia an imitation of this Oxford scheme. Our neighbours are not blessed as yet with a University. They are too poor, or, it may be, too prudent, to indulge in such costly luxuries. So, having no learned corporation gifted with the power of bestowing honorary titles for literary merit, they are reduced to the necessity of offering the grosser reward of money as a prize for the youthful competitors. Oxford conferred the degree of Associate of Arts on all who successfully passed the examinations it instituted. In Adelaide, there are no degrees obtainable.

The scheme has received the sanction of the Legislature, which voted the modest sum of two hundred pounds, to be appropriated in bestowing rewards, and in meeting the expenses of the examination. The details are all to be carried out under the superintendence of a committee nominated by the Government. This committee has been formed, consisting of the leading gentlemen in the colony noted for literary tastes or educational acquirements, and we observe by an advertisement in the journals that they have already determined on the subject of the examination, and the distribution of the prizes. The first examination is to come off in March, 1860. All youths are admissible who are not more than nineteen years of age on the first day of the examination, who have been in the colony for twelve months, and who have been in some school in the colony for six months. Candidates are to be divided into three grades, according to their age, the first including those not above nineteen years of age, the second those not above seventeen years of age, and the third those not above fifteen years of age. No candidate is allowed to compete with his juniors, but the juniors may claim to compete with their seniors if they like to take the chance. The examination is to be partly written, and partly *viva voce*, the relative merits of each candidate's answer being indicated in each case by the usual method of marks. The examination in order to give scope for the display of every kind of attainment, is not to be confined to merely one or two subjects, but to include all that may be thought desirable. Each candidate, however, is not expected to pass an examination in all subjects. He can make his choice, and the proportion of marks to be allotted to each subject is to be regulated according to the committee's opinion of the relative value of such subjects. Thus in the first class, the subjects are divided into six sections, in any or all of which a pupil may be examined, viz., languages and literature, including Greek, Latin, English, French, German, and Italian; pure mathematics and physics; history and geography; chemistry, geology, physiology, botany, and geology; political economy and mental and moral philosophy; surveying, chartography, drawing, and architecture. In all these subjects, whenever it is possible, books are specified which the candidates are recommended to study; and beyond the limits of which books, therefore, it is to be presumed no questions will be asked. To this first class three prizes are allotted—one of thirty pounds, one of twenty, and one of ten. The second class is also similarly divided into six sections, though the standard of attainment is of course considerably reduced. To this class four prizes are awarded—one of twenty-five pounds, one of fifteen, one of ten, and one of five. The third class, for the juniors, is divided into only three sections, viz., languages and literature, mathematics and the elements of natural philosophy, and history and geography. To this class, as probably containing the greatest number of competitors, five prizes are allotted,—one of twenty pounds, one of fifteen, one of twelve, one of ten, and one of five. No prize is to be given to any candidate, even if he may be superior to all his competitors, unless he shall have exhibited a degree of proficiency that comes up to the required standard. But to do justice to those who may exhibit great merit, though they may not be able to carry off prizes, honourable mention is to be made of their names, which are to be published in the *Government Gazette.*

The standard of examination is certainly not higher than would be deemed suitable for youths of corresponding ages trained in the schools and colleges of the mother country. Indeed the committee expressly apologize for having pitched it so low, and express their hope that on subsequent occasions, when there has been a longer and fairer theme for preparation, it will be possible to raise it to the point they think it ought to reach. Nevertheless, we hear by telegraph, that the schoolmasters complain that the standard is too high. They have not above six months to prepare their pupils expressly for this examination, and they find themselves rather taken by surprise. This is equivalent to a practical confession that their teaching has been hardly up to the mark, and nothing could more clearly shew the utility of such examinations as are proposed. It is impossible that the colonial parents should consent that the standard of education should be fixed permanently below what is customary in the mother country, and they will naturally require of local schoolmasters, that they should not fall behind the age. And these annual examinations will tend to keep them up to the mark.

Examinations are by no means perfect tests either of the capacity and industry of pupils, or of the faithful teaching of masters, though they exhibit these things approximately. Their great value is in the stimulus they furnish alike to scholars and teachers, and this is an advantage which it is impossible to appreciate, and which is indirectly experienced by hundreds who never have anything to do with the examination at all. If the Adelaide scheme succeeds in drawing all the principal schools in the colony within its embrace, it can hardly fail to do a great deal in aid of education. Good schoolmasters will welcome the test, and take care that their prestige suffers nothing, while those who have been indolent, or immethodical, or incompetent, will have to bestir themselves lest odious comparisons should be made to their disadvantage. There may be, and doubtless are some evils connected with such competitive examinations—they may lead to an undesirable amount of cramming, and to too great a preference being given in some cases to mere memory over understanding—to the acquisition of knowledge over the discipline of character. But these are objections which might have been equally urged against examinations for University degrees for centuries past. The advantages outweigh the incident disadvantages.

[BY ELECTRIC TELEGRAPH.]

GUNDAGAI.

Monday, 4 p.m.

ESCAPE OF TWO PRISONERS.

ON Saturday night, about seven o'clock, two prisoners, awaiting their trials at the Gundagai Sessions, escaped from the lock-up in this town, after seriously beating the constable with the butt end of a pistol and batten. Two women, the constables' wives, were also hurt in trying to assist their husbands to prevent the escape of the prisoners. The two men have not been recaptured yet.

MELBOURNE.

Monday, 7·30 p.m.

The weather is splendid.

No changes in trade.

The champion sweepstakes is the great topic. The betting stands thus this afternoon:—

4 to 1 against Strop
6 to 1 against Zoe
8 to 1 against The Moor
8 to 1 against Flatcatcher
10 to 1 against Io
100 to 8 against Miss Rowe
100 to 8 against Quickstep
100 to 8 against Alice Hawthorne
100 to 6 against Sir Hercules
100 to 6 against Flying Jib
100 to 6 against Flying Buck
100 to 5 against Camel
25 to 1 against Tomboy
50 to 1 against The Barber
50 to 1 against The Swordsman
50 to 1 against Zingari.

NEW SOUTH WALES SABBATH OBSERVANCE SOCIETY.

IN pursuance of the following advertisement:—

Remember the Sabbath Day to keep it holy.—The third annual meeting of the New South Wales Society for Promoting the Observance of the Lord's Day will be held (D.V.) in the Infant Schoolroom, Castlereagh-street, on Monday, 26th instant, at 7 p.m. The Lord Bishop of Sydney will preside. The friends of Sabbath observance are respectfully invited to attend. Robert L King, Joseph Beazley, secretaries.

a meeting was held last evening in the schoolroom, Castlereagh-street.

The attendance, though composed chiefly of ladies was not very large, but the schoolroom was two-thirds filled, and we doubt not it was the threatening aspect of the weather that prevented it from being crowded. The meeting was called for seven o'clock, but it was half-past that hour before the Bishop took the chair, who having briefly stated that the meeting was called to promote Sabbath observance, called on the reverend secretary to open the proceedings by prayer.

The Rev. R. L. King then engaged in prayer.

The BISHOP, in opening the meeting, said they were assembled for the third time to commemorate the establishment of this Society. This was their third anniversary, and he believed that, by associating together to promote the observance of the Sabbath, they had at all events done some good. They had come there to receive information of what had been done, and he trusted in his heart to gather encouragement from such report as would lead them to support and increase the aid they had given to this Society. This Society was formed for the purpose of enforcing, as far as possible, the fourth commandment—a portion of the decalogue universally acknowledged by the church, but which was, perhaps, more widely deviated from than any portion of the social and moral law, which formed the basis of the Christian religion. Why, he asked, should they deviate from this great moral law more than from the common law, which they had imposed to enforce the other commandments? Why did they deviate from the common law in reference to this commandment more than any other? They did not do it in the cases where the moral law affected persons or property only. They did not set aside the commandments against murder, or theft, or slander. They brought the common law to enforce these, why neglect the Fourth Commandment, that was the basis of all the social morality on which the others were founded? If there was any weight in the law which the other commandments laid down, there was that spirituality in the fourth which could alone give them vitality and existence. Those who had attentively observed this question, must from what they had seen and read, have been convinced that it was the transgression of this commandment which led to crime, and that its observance was the best guarantee against vice and crime. He believed, for the social interests of society, it was necessary that this commandment should be enforced. Let them show to him a Sabbath-breaker who had not, step by step, descended into crime. The observance of the Sabbath formed the basis of our national, social, and moral safety. Though the thief, the murderer, the slanderer, were watched by the eye of the law, the Sabbath-breaker, who was commanded to keep His day holy, was the father and perpetrator of all these crimes. They could not look to the Legislature for relief from this evil. It depended upon themselves; it was the poor man's question more than that of any one else. Certainly far more than that of the rich man. If the poor man, the labourer, the servant, the clerk, was compelled to work on a Sunday, was he not imposed on? Was he not asked to do that which he had no right to do. What was the effect of this? In Paris they knew that till lately there had been no patriotic observance of the Lord's day. Lord Stanley advocated the notion of Sunday amusements and the desecration of the Sabbath. But what were the arguments against him? That it was essentially the poor man's day, and should be reserved for him. It was the Lord's day—he had called it holy. In spite of all argument to the contrary it was the poor man's day. It was the shopman's day, it was the clerk's day, and he supposed even of the newspapers, that it was the publisher's day. He would like to know by what right any rich man should deprive the poor man of his right in this day. On many grounds, some of which he had shown, it was right the Society should exist, if it were only to disabuse the public mind as to the extent of the evil and what could be done to prevent it. The report would show what the Society had done, and what—with increased support, it was in its power to do. He thought it might be right in him to mention that the thanks of the meeting were due to the Chamber of Commerce, to stop the practice of vessels taking their departure on a Sunday. He was well aware that in former times there was a feeling of favour among seamen in sailing on a Sunday, but this feeling had been overcome by higher and better considerations. There could be no danger in the arguments they heard of the reasons which should be heard in favour of the non-observance of the Sabbath. Any one who should triumph in the contest would but obtain a victory against the Sabbath to sustain a loss. In Liverpool he had endeavoured to raise this feeling, and he was happy to hear that it had been warmly responded to—that from the Mersey to the Clyde and the Thames, the departures of vessels had been much more limited than heretofore. Another matter he might mention. It had been the custom of the Speaker of the House of Commons to give Parliamentary dinners on a Sunday. The chaplain of the Speaker declined to sit and say grace at these dinners; and though weak in the attempt, Sir Manners Sutton, in respect of the courage which had been manifested in such a cause, retained his chaplain and gave up his Sunday dinners. He would now call on the reverend secretary to read the report.

The Rev. R. L. KING then read the following report:—

The Committee of the New South Wales Society for Promoting the Observance of the Lord's Day present to the subscribers a brief account of their proceedings during the last twelve months. They do so in a spirit of mingled humiliation and gratitude. Of *gratitude*, because they have been permitted to labour at the work of the Lord of the Sabbath, and because in some respects his blessing upon their exertions has plainly appeared;—of *humiliation*, because so little has been effected, although so great a necessity exists for active exertion, and although such vast interests are at stake immediately connected with the glory of God and the welfare and happiness of man. Yet they are quite aware that results must not be measured merely by present appearances. The husbandman waiteth for the precious fruit of the earth, and hath long patience for it, until he receive the early and latter rain. He does not despair of an abundant harvest, because he perceives no sign of life for some days after the seed is committed to the earth. He waits. "In the morning he sows his seed—and in the evening witholds not his hand, for he knoweth not whether shall prosper either this or that; or whether they both shall be alike good." Engaged, as your Society is, in the Lord's work, it can well afford to wait in patient expectation, and earnest prayer, for the Lord's time to bring to perfection and fruitfulness that seed which is now being sown in faithful dependence upon His promise. "Let us therefore not be weary in well doing, for in due season we shall reap if we faint not."

TRACTS.

During the past year a very considerable number of tracts and other publications, having reference to the subject of the observance of the Sabbath, have been put in circulation—through which it may be presumed much information has been imparted, and misapprehension as to the nature and objects of the Society removed. There is still much jealousy existing in a certain class of minds with reference to the objects of the society. It is supposed that those who are seeking the holy keeping of the Lord's Day in the community are desirous of curtailing the liberties of the people, and of depriving them of the benefit which a day of rest is intended to bestow upon the labouring and trading classes. It is hoped that the effort of the large distribution of tracts upon the Sabbath question has born to point out to those persons that the observance of the Lord's Day, in accordance with the plainly-expressed will of Him by whose authority it was set apart, will naturally assist in preserving to all the benefits of that day; and that those persons who advocate the claims of the Sabbath are the true friends of all classes of the community. To point this out now more clearly, a tract has been prepared by a member of your committee, and distributed, addressed specially to the employers of Sunday labour, having particular reference to those persons who require their butchers and bakers to supply them with meat and bread upon the Sunday morning. For it may be easily perceived that if heads of families declined receiving their supplies upon the Lord's Day, the great amount of Sabbath desecration at present prevalent on the part of those tradesmen who supply them, would cease, and the tradesmen themselves and their servants would be left at liberty to spend the Sabbath according to the Divine appointment.

An additional supply of 2000 copies of the "Address to the Colonist" has been printed and exhausted, and 5000 more have been ordered and are about to be printed. As many as 27,000 copies of this admirable address has now been put into circulation.

Your committee desire to express their grateful acknowledgment of a large supply of tracts and other publications, bearing upon the question, which have been presented to them for distribution by the Rev. Dr. Mackay, having been placed in his hands for the purpose by Mr. Henderson, of Glasgow, and by Mr. Peter Drummond, of Stirling. By the desire of your committee, the Secretary wrote through Dr. Mackay, thanking those gentlemen for their kind and valuable assistance.

The committee have also to announce the arrival, per Redgauntlet, of two parcels of tracts from the Metropolitan Society, which will be immediately placed in the hands of the colporteur for distribution. A still larger amount is expected to arrive shortly.

During the whole of the past year a colporteur has been employed in distributing the Society's tracts as well as in collecting subscriptions. In very many instances he has been enabled to introduce the subject in personal conversation. It is pleasant to add, that generally speaking, he has been very kindly received. The total number of tracts which have been distributed by him during the past year has been 31,046. If to this is added the 20,667 publications distributed in the second year of the society's existence, and 11,181 in the first year, it will appear that in all there have been distributed 62,895 tracts and addresses of different kinds having reference to the devout observance of the Lord's Day.

May the Lord of the Sabbath graciously vouchsafe his blessing, since Paul may plant and Apollos water, but God only can give the increase.

PRIZE ESSAYS.

The subject of prize essays upon the Sabbath is one which your committee have very much desired to entertain. The funds at their disposal have not, however, been sufficient to warrant them in offering a prize of such value as might reasonably be expected to induce persons to take up the subject. They would take this opportunity of suggesting to those who have the means, and who take an interest in the work in which the Society is engaged, that much good might be effected by giving an inducement to the people of this colony to write upon such a subject. Several extremely interesting and even valuable tracts have been thus brought forward in England and Scotland, and there can be little doubt that some might be written, even more closely adapted to the peculiarities of position and temptations which belong to colonial life. The committee trust that this will not be wholly lost sight of by the friends of the society.

Passing from general topics, it may be proper to refer to some of those instances which have occurred during the past year, in which the necessity for the organisation of such a society as your own has plainly appeared. The instances in which the silent influence exerted by it has prevented the desecration of the Sabbath may possibly not be known on this side of eternity. Yet those instances in which its active exertion has been required, and through the Divine blessing, successful, may well afford encouragement to the members of the society to persevere.

It was reported to your committee, at their meeting on the 13th of September, that the band of the detachment of Artillery, stationed at Dawes' Point was accustomed to play on the green of a Sunday afternoon, and that large numbers of persons were being attracted to the spot. The effect of this soon made itself felt in withdrawing the children from the Sunday schools in the neighbourhood. The committee felt that this practice, if not at once checked, would soon be beyond their power to reach. They were assured that the taste for this kind of Sunday amusement would be rapidly formed in Sydney, and that it would give rise to a great deal of Sabbath desecration. They felt also that they were bound to plead the right of the bandsmen themselves to be exempted from any necessity of violating the Sabbath for the amusement of others. A deputation was therefore requested to wait upon the officer in command of the Artillery Barracks, to represent to him the views and wishes of the committee, and when that officer declined to accede to their request, the deputation called upon Colonel Percival, by whom they were most kindly received. Instructions were issued by him which led to the discontinuance of the Sunday band; and your committee, in reporting with much gratitude, his kind compliance with their wishes, are thankful to be enabled to state that the attempt to introduce into Sydney a practice which has led to so much Sabbath desecration in London, has not hitherto succeeded.

It will be the duty of your committee to continue upon their guard against any similar attempts in other quarters to invade the sanctity of the Sabbath by such means. How quickly the taste for these Sunday bands may be formed in the community may be estimated from the fact that on the Sunday following the issuing of Colonel Percival's instructions no less than 2000 persons assembled on the spot, but were of course disappointed.

July 10.—The Sunday delivery of the mail per Malta may now be referred to. The mail arrived on the morning of Sunday, July 10. "The rule of the Post Office is that no delivery of letters shall take place on Sundays, but the intelligence contained in the mail was considered, at least by the Post Office authorities, of such importance as to warrant a deviation from that rule on this occasion."*

The consequence was that the clerks of the Post Office were employed all the morning in sorting letters, and were thereby deprived of the opportunity of attending, some at different Sunday schools, and all at the house of God. The postmen in like manner were employed during the hours of morning service in traversing the city, as if the day had not been one of which God had commanded that it should be kept holy. At several houses the letters were refused, because the day was Sunday. At others, though the letters were taken in by the servants, they were left unopened. This was reported to your committee by several persons upon the Monday morning. The committee instructed the secretary to write at once to the Postmaster-General upon the subject, and, receiving a very short and unsatisfactory reply, quoted above, they requested a deputation to wait upon the Colonial Secretary and show him the correspondence. The result has been that the Postmaster-General has been requested in future to pay more strict attention to the rule of the office. The committee have reason therefore to trust that this kind of Sabbath violation will not occur again, at least in Sydney.

In this case, occurring in the metropolis, the number of persons deprived of their Sabbath privileges was considerable. But your committee are painfully conscious that the same kind of Sabbath desecration is the rule rather than the exception in many towns of the interior of the colony. The mail reaches the town upon the Saturday night or the Sunday morning. The post-office is opened on the Sunday as a matter of course, and that holy day is spent to a great extent as a day of business by a considerable part of the population. Many of the postmasters feel this to be a hardship, not to say injustice, from which they would gladly be exempted. Your committee see no reason why the rule which applies to the Sydney Post Office, should not apply with equal force, and much less practical inconvenience, to every post-office throughout the country, and they would earnestly invite the inhabitants of those places where the practice prevails to forward a petition on the subject to the Postmaster-General. But a petition, whether successful or not, would at least be a protest against the breach of the commandment of the Most High.

Much attention has been paid by your committee during the past year to the sailing of ships from port upon the Lord's Day. A deputation waited upon several of the owners of vessels and shipping agents connected with the Port of Sydney, to endeavour to ascertain their views, and to impress upon them the propriety of paying a stricter regard to the Sabbath than had ordinarily been the case in former times. The deputation was most cordially received by almost all—and much sympathy expressed with the object of the Society. This was followed up by a letter to the Chamber of Commerce, requesting that body to express an opinion upon the subject. The letter was taken into consideration at a meeting of the Chamber held in July, and the following resolution was agreed to:—"That, in reply to the letter of the Lord's Day Observance Society, the Chamber sympathises with the object in view; and while it records the fact that the departures on Sundays during the past year have been under the average of those of other days, recommends that the sailing of vessels on Sunday be discouraged as much as possible." During the discussion which preceded the adoption of this resolution, one speaker stated that out of 1082 departures during the past year, 104 took their departure upon the Sunday. From which statement it appears that, while the average number of departures on the week day is but a small fraction over three per day, there are, on the average, two departures on every Sunday in the year. Surely, this average may be much diminished.

The committee next addressed the Colonial Secretary with reference to the departure of the mail steamer when the day fixed on the time-table for departure happened to be the Sunday. His reply, as far as it went, was very satisfactory—stating that he had already put himself into communication with the agent of the P. and O. Company upon the subject, and had requested him to write "to the directors of the Company in London, with a view to their authorising him to defer the sailing of the mail steamer when the time fixed may fall on a Sunday; at the same time pointing out to him that, as regards the Peninsular line, the principle has been already conceded by a provision in the time-table by which, should the day fixed happen to fall on a Sunday, the steamers leave Southampton on the following day, at two p.m."†

Your committee earnestly trust that the example of some of the leading firms in Sydney which do not dispatch their vessels upon the Lord's Day may soon be generally followed—(Montefiore, Graham, and Co.; Henry Moore, Esq.; and others). They have learned with much interest that the Sunday sailing of vessels from some of the principal English and Scotch ports has of late years much decreased. In an interesting report, given by the Rev. Dr. Mackay on his return from Europe, he stated "that on the Thames, the Mersey, and the Clyde, the Sabbath was evidently better observed than it had been when he left Scotland five years previously. Indeed, with respect to the Mersey and the Clyde, it was now a very unusual thing for a vessel to sail on the Lord's Day; whereas formerly the rule was to sail on that day in preference to any other."

Your committee deeply regret that they can report no improvement with regard to the railways. Indeed, the only change taking place is for the worse, in consequence of the gradually increasing length of the lines completed. Neither has anything been effected towards lessening the desecration of the Sabbath by the sale of beer and spirits in the public-houses. In many country places, and even in the towns, the public-houses are accessible, even if not actually open during the whole day, there being but little inducement held out to the police to take notice of it. So that even the laws which exist on the subject are not put into operation.

With reference to the support which your society has received during the past year, it appears from the balance sheet appended to this report, that the sum of £220 6s. 6d. has been collected from 581 subscribers. From this sum the principal disbursements have been to printing expenses, £26 10s. 6d., and the salary of the colporteur £168. Other expenses have amounted to £10 7s. 3d., and there is at the present time a balance in favour of the society amounting to £99 19s. 7d.

In conclusion, your committee humbly desire to commend the work in which they are engaged to the gracious and over-ruling providence of Him whose cause they plead, and for whose honour they are deeply concerned. They take encouragement in the reflection that "the Lord reigneth," and that He both can and will, in His own time, and in His own way accomplish His own designs. They wish to be found on the Lord's side in every struggle—assured that in due time they shall be more than conquerors in His name and strength. They earnestly desire that every member of the Society will strive together with them in their continued prayer to Almighty God for His blessing upon the labours in which they are engaged. It is by prayer that we are permitted to move Him who moves the world, and who disposes all things according to His own will; and if to prayer is added the force of a godly example—if those who acknowledge the blessedness of that privilege which they possess in the ordinance of the Christian Sabbath would be careful to live as if they rightly valued this blessing, then, indeed, would God's Sabbaths be a sign between Him and them, and they would know that it is the Lord who sanctifies them. And others, attracted by their example, would learn from them the inestimable worth of this "Pearl of Days," and gratefully devote it to the service of the Lord of the Sabbath, and the care of their own immortal souls. They would fully experience the truth of the prophet's words—"If thou turn away thy foot from the Sabbath from doing thy pleasure on my holy day, and call the Sabbath a delight, the holy of the Lord, honourable; and shalt honour him, not doing thine own ways, nor finding thine own pleasure, nor speaking thine own words: Then shalt thou delight thyself in the Lord, and I will cause thee to ride upon the high places of the earth, and feed thee with the heritage of Jacob thy father; for the mouth of the Lord hath spoken it."—Isaiah, lviii. 13—14.

The Rev. G. H. MORTON said the resolution he had to propose was to the following effect:—

That the Report now read be adopted and printed for circulation, together with a list of the subscribers, and the Treasurer's statement; and that the following gentlemen be the Committee for the ensuing year: President, the Right Rev. the Lord Bishop of Sydney; Treasurer, G. K. Ingelow, Esq.; Secretaries, Rev. R. L. King and Rev. Dr. Mackay; together with all ministers of religion being members of the Society; and the following laymen, Messrs. Adam, Bonar, Cameron, Caldwell, Captain Dumaresq, J. Mackay, F. Mitchell, Dr. Moon, Mowtry, Dr. Hansard, and Alexander Macarthur.

The object for which they were met together was to try and stir each other up, and to stir up others also, to a better observance of the Sabbath. In whatever point of view this subject was regarded, it showed itself to be one of the greatest importance. He should not say a word upon the Divine obligation of the Sabbath, for other reverend gentlemen would follow him and deal with this part of the subject; but if they regarded it merely as a gift from God to man, and looked upon the latter in the lowest possible light—as a mere piece of mechanism—they must see at once how absolutely he required that a certain time should be devoted to rest. A piece of mechanism or of machinery working up to a certain power, if it be forced to go beyond that power, the result must be that in the end it would break down. God had so constituted man that whilst he was adapted to labour of every kind, yet it was essentially necessary to the conservation of his system that he should have rest; and it was a remarkable thing that even in those countries where they did not recognise a Sabbath, this principle was recognised. He was much struck at observing amongst the Chinese, that though they had no Sabbath they made up for it by their frequently recurring feasts. They had found that man's body required occasional rests, and so supplied it by those feasts, which occur at least once in every fourteen days. It might also be remembered that when certain infidel philosophers endeavoured to start a new religion, that was to do away with priestcraft and many other things that in their opinion the world groaned under, the first that was done was to blot out the Sabbath day. But with all their philosophy, they soon found that it was not to be dispensed with, that man's nature required rest, and so they appointed, instead of one in seven, that one in every ten days should be set apart for the purpose. He recollected reading in the life of Wilberforce, how that eminent Christian and orator, who had lived to so good an old age, retaining to the last the full use of his mental powers, made it a point of conscience never to do any parliamentary duty on the Sabbath. By following this plan his mind came back with fresh avidity to his parliamentary tasks, relieved by one day of rest; whilst those who had been engaged in study, or in the preparation of their speeches on the Sunday, were still jaded and wearied on the following day. By this line of conduct Wilberforce not only preserved his principle, but also refreshed his mind, and was enabled for a long time to stand forward and plead the cause of his fellow-men with a vigour and a power that almost seemed to have been imparted to him for the purpose. Then, again, if they looked upon man's future destiny, the subject became one of still more importance. Man was but a mere passing breath, gradually

* Letter of Mr. T. K. Abbott, Secretary to Post Office, to Secretary of Lord's Day Society, July 14, 1859.

† Letter from Mr. W. Elyard to Secretary, dated Colonial Secretary's Office, Sydney, 9th August, 1859.

National Library of Australia http://nla.gov.au/nla.news-page1490103

and momentarily passing away to another state of existence; and here he was reminded of their last anniversary meeting. On that platform, almost on the spot on which he now stood, they had seen a pious young man rise to address them. They had heard that young man's solemn exhortation, his earnest language when he had told them of the importance of keeping holy the Sabbath Day. They who then sat around had seen death pictured in that countenance, and in a brief space they had followed him to the silent tomb, whilst he passed away to the everlasting Sabbath. Before another anniversary came round, some of those now present might pass away also to another state. Knowing this, and knowing also the earnest busy bustling age in which they lived, they could not but regard it as a gracious provision of Providence that a seventh part of the time of man should be set apart as a space in which he might reflect upon that unknown world to which he was so fast hastening, thereby giving him one day in each week wherein to think upon and prepare for that world. On this account alone, the Christian men had always, and would always, find the Sabbath day a blessing. He was sure that there were numbers of poor people who look upon the Sabbath not merely as a day of rest from their toils, so much as the day of meeting in the house of God with those brethren with whom they were hereafter to spend eternity. Many came into the house of God with their minds still bound down by the trammels of trade or business; but the word of God soon came to them in its power and its might, relieving their souls from their earthly burthen, freeing them from their care, and showing them how good it is for them to be there. The Sabbath, again, gave man an opportunity of teaching his children and his household. Engaged during the week in a variety of ways, the Sabbath, with its rest to all, assembled round him his children, or those over whom he was placed, giving him an opportunity to teach them or to read to them of a better state of existence than that they were now passing through. He and the other ministers of the Gospel were thankful indeed to see the churches filled as they were on the Sabbath. They were indeed delighted to find men flocking in to hear God's word, but still they could not close their eyes to the other side of the picture. In the parish in which they were now met he knew that there were numbers who never crossed the threshold of God's house on the Sabbath day. He wished to be charitable, but could he with the strongest exercise of charity hope that such men were Christians? They might have been baptised as such, but their reception into the Christian Church at the font will not of itself ensure their reception into Christ's Church triumphant. Their absence from God's house showed plainly that they had not been converted to God; and if they should pass in their present state from time into eternity they must perish for everlasting. The report said something about public-houses. Now very much might be said upon that question. He had conversed with several publicans on the subject of closing their houses on the Sabbath. The answer he had almost always received was that they would be glad to close if all the others would do so; because now, if they refused to serve a customer others would serve him, and thus the conscientious man would lose his trade. If these men really were imbued with the love of Christ, they would close on the Sabbath whether they lost custom by it or not; but such conduct was not to be expected from men in that class of life. Then, again, there was the Racecourse. It was disgraceful to hear the debasing conversations, the revolting language that was used there on a Sabbath evening, it was of the most repulsive character; and he was assured that a great deal of the moral degradation of this city arose from this very source. Here, too, were to be sometimes heard infidel lectures, stilling their noxious poison into the ears of the passers-by. To such a height had this evil risen that he had often felt a strong desire to obtain leave from the Bishop to go on the Racecourse, and preach on a Sunday. (Loud applause.) For he had sometimes thought that if he could but stand up there for half an hour he could shew these infidel preachers far better authority for the Book of God than they could shew against it. (Applause.) Might it not be that some of the members of our Church might be accidentally brought to lend an ear to these envenomed tongues, and so receive into their hearts that seed that sheweth the path which leadeth to destruction. There also were to be heard the disciples of that miserable creature, who appeared some few years back in the United States, preaching a doctrine and giving utterance to principles from which the well-regulated mind could not but turn with horror and disgust. Yet with all these evils prevailing, it was next to useless to expect ministers of the Gospel to preach there on the Sabbath Day, for when the evening came they were broken down with their labour, feeling as though they had indeed preached their last sermon. But if the ministers were not able to go there, something might yet be done. If members of their congregations would take with them some of those tracts that were spoken of in the report, and disseminate them on the Racecourse, and along the South Head Road, this might have a good effect, and perhaps turn to the conversion of many. None knew the influence of these tracts. They might be carelessly received and as carelessly put away in the pocket of the recipient, to be brought out and perhaps read during the week under circumstances that might give their teaching more effect. He recollected one instance of a young man, who having most unwillingly received a tract, was yet thereby not merely converted, but led to become a minister of Gospel. If they then would remember this, and in the true love and spirit of God disseminate these tracts, they might also be the means of saving an immortal soul from destruction; for as St. James said "He that converteth a soul from the error of his ways shall save a soul from death, and hide a multitude of sins."

Mr. A. M'Arthur, M.L.A., seconded the resolution. He thought that the perusal or hearing of the Report to which they had listened should excite in the minds of all who read or heard it, mingled feelings of gratitude and regret. It was to be regretted that in a professedly Christian land it should be necessary to have such a Society as this, but it was gratifying, that as the necessity unhappily did exist, that such a Society had been formed. And he thought they should be devoutly grateful to Almighty God for the measure of support and encouragement which this Society had received, and for the degree of good which it had been instrumental in accomplishing. They would at the same time participate in regret that the Society had not still further hold on the public mind, and was not still more liberally supported, and still more extensively useful in accomplishing the object at which it aimed. For he believed with his Lordship, that the interests of society at large were deeply involved in the success of this Society for the proper observance of the Lord's Day. This Society should, he thought, be supported by every Christian, by every philanthropist, and by every patriot. The Christian should labour for a society for the proper observance of the Sabbath, for he believed it to be the Lord's Day, holy and blessed, and the day in which his soul delighted, and to which he looked forward with feelings of peculiar delight, feeling deeply conscious that if it were not for the common Sabbath, there would be very little vital Christianity or true religion left in the world. The philanthropist should support it, for wherever Christianity diffused its genial and delightful influences there charity and benevolence must attend. The patriot should support it, because, however religious he might be, yet, in supporting this Society, he adopted the best means for promoting loyalty, good order, peace, prosperity, and happiness. It was melancholy to reflect that even in Christian England there should exist a Sunday—or, as it might more properly be called, an Anti-Sunday League; and that men from whom we might expect better things were not ashamed to be identified with so bad a cause, and to be associated with men of whom it might be truly said that they feared not God, nor regarded men, except so far as law compelled them to do so. That anti-Sunday League openly advocated the introduction of a continental Sabbath into England, and one of the speakers, who unworthily bore the name of a clergyman, was reported to have said that he admired the state of things he saw in Dresden, where the morning of Sunday was devoted to Church, the afternoon to galleries of art, and the evenings to the promenade. He thought we had good reason to congratulate ourselves that bad as we were in New South Wales, we had not yet an Anti-Sabbath League, and he trusted we never should. But although this feeling was not publicly expressed, he believed there were many in this colony who cherished and encouraged feelings of this kind, and even so lately as last Saturday he had noticed an advertisement in the daily papers, calling attention to a free room in Sussex-street, where there was held a free discussion every Lord's Day. They all knew what that meant. He thought that this Society was entitled to receive the support of every man who wished well to the cause of true religion in the country in which he lived, and he believed that just in proportion as the Sabbath was regarded as a holy day, in that proportion should we have good order and prosperity and happiness throughout the land. It had been said that this was a poor man's question, but it was in reality a question affecting every man—for we were all working men, or ought to be so; and we all, whether we laboured with our hands or our heads, required the rest of the Sabbath, and should gratefully receive and highly prize it. Still by the poor man was the Sabbath especially prized. Those who would thus secularise the Sabbath professed to regard the best interests of society at large, and to feel still more deeply interested in the welfare of the poor man. But he believed that this meeting would agree with him in the opinion that those who advocated such doctrines were either miserably deceived or else shed crocodile tears, being led astray by the folly or the wickedness of others. He trusted that this Society would continue to disseminate useful information upon this subject, and to point out to the poor especially the advantages to be derived from the observance of the Sabbath. It would afford them an opportunity of cultivating those conjugal, parental, and Christian affections which were so desirable both for body and mind. He looked upon this Society as one in every sense worthy of the support of the Christian public. (Cheers.)

The resolution was then put from the chair, and unanimously carried.

The Rev. John Reid moved the second resolution, which was as follows:—

> That this meeting desires to record its firm belief in the Divine authority and perpetual obligation of the Sabbath, and humbly implores of Almighty God an abundant blessing upon the labours of this and of every other society engaged in promoting the observance of that holy day.

He said he felt great pleasure in being present on that occasion; for though he did not usually feel much at home at platform speaking, any reluctance he might feel on that account was overcome by the very earnest desire which he had to promote, as far as he could, the interests of the Lord's Day Observance Society. When he intimated his intention of being present, a friend stated, by way of objection, that it was entirely a Church of England affair. He replied, that the Society was not a sectarian one, and that ministers and members of all the evangelical denominations were invited to take a part in it. (Hear hear.) His friend rejoiced that that might be the case, but that still the Episcopalians took the most prominent part; to which he again replied that he just liked the Episcopal Church all the more on that account. (Hear, hear.) The great question with him was, not whether this was an Episcopal or a Presbyterian, or an Independent, or a Methodist affair, but was it a good affair?—an affair calculated to promote the glory of God, the salvation of the souls of men, and the best interests of the community? (Cheers.) Now the views that he entertained upon the subject of this Society were,—that it was calculated to promote those objects. Every professing Christian who had his eyes open, and observed what was taking place around him, must admit that there was a vast amount of Sabbath desecration; and he had no hesitation in giving it as his opinion that if this evil were allowed to go on unchecked, and make progress in time to come as it had in the few years past, the whole face of society would ere long bear a heathenish aspect, and the fear and the public worship of God would to a great extent be banished from the land. (Hear, hear.) He was no advocate for what was called the Puritanical—though he did not exactly understand the meaning of the phrase—observance of the Sabbath; he was not for investing that sacred day with an air of oppressive gloom and melancholy. But, convinced as he was of the Divine authority and the perpetual obligation of the Christian Sabbath, and remembering that it was a day solemnly set apart for the public worship of God and the interests of immortal souls, he must say that he viewed with alarm any infringement of its sacredness, and that he hailed with delight any distant recognition, from whatever quarter, it might come, of the validity and force of that commandment which was enshrined in the very heart of the decalogue, and which said—"Thou shalt remember the Sabbath Day to keep it holy." (Cheers.) He had met in the course of his life with some very striking instances of the recognition of Divine authority on this point, and though they had not, as in the case to which his Lordship had referred, been accompanied with loss of preferment, they had been attended with worldly disadvantage, which was cheerfully submitted to. He recollected one instance in his early life, in the case of a man in whose house he was an inmate at the time, this man was a humble farmer in the West of Scotland, a man of limited education, but of stern religious principle, one of those good old Scottish patriarchs, who if any of the latitudinarians of the present day had spoken to him of the repeal of the Fourth Commandment, would have frowned upon them with indignation. At the time to which he referred, this good man got into pecuniary embarrassments, in consequence of the high rent of his farm and the failure of his crops; and at last was completely at the mercy of his landlord, who was the terror of the whole tenantry around—and was in fact one of the greatest tyrants that ever lived. One Sabbath morning after breakfast and family worship were over, this proprietor called upon the good man, and requested him to go to survey a field at a distance, to measure it, and to lay it out for agricultural improvement. The good man hesitated, he begged to be excused; he said he was not accustomed to do anything on the Sabbath day, adding, with all possible courtesy, that he should be most happy any other day to comply with his wishes. The ungodly proprietor ridiculed and upbraided and stormed at the good man, till he could bear it no longer; his spirit was at length stirred within him, and nobly disregarding the after consequences of casting himself on the providence of God, he said to his tempter—"Sir, the Sabbath Day is the Lord's Day; it is not mine; I am bound by an authority higher far than yours to obey it, and I tell you plainly, sir, that I will not break the Lord's Day neither for you nor for any man living." (Cheers.) Turning on his heel he strode away with measured step in all the spirit of his lofty Scottish independence. Some young persons—and he was one of them—thought these Scottish patriarchs had too strict ideas with regard to the sanctity of the Sabbath; but he confessed that he now saw the subject in a somewhat different light, and remembering their holy and blameless lives, their fear of God, and their strict regard to this holy day, he could not but revere their memory, and dear to him were the very sepulchres in which their ashes reposed, awaiting the resurrection of the saints. He was unable to understand upon what possible grounds any person could entertain any rational doubt as to the perpetual obligation of the Christian Sabbath. The endurance of that obligation was so unquestionable that he would enter into no argument upon that subject. It appeared to him an inevitable consequence, that if a man felt himself bound to uphold the obligation of one of the ten commandments, he must be equally prepared to insist upon the obligation of all the rest. If one of those commandments was binding, why not all? Were they not all portions of the same decalogue, promulgated from Mount Sinai by the Voice of the Eternal—all written upon tables of stone by the finger of Almighty God? Were they to be told that any distinction could now be drawn between those laws; that some should be retained in force, and others done away with; some declared to be of perpetual obligation, and others arbitrarily defined to be only of a mere temporary character? He could not place his hand upon any text in Scripture which gave countenance to any such views, or authorised, in the slightest degree, the assumption that the law then given was not to be for ever after observed. It was, as he held, therefore of entire and perpetual obligation; and whosoever did resist it, or any part of it, resisted the express ordinance of God, and must be prepared to abide the consequences of such an act of disobedience. Accordingly they found that the devout observance of the fourth commandment was one of the invariable characteristics of a truly Christian man. For himself he could not forbear to state that he had never seen an exception to this rule. He would not deny that there might not possibly be some good men who did not venerate the Lord's Day, and were nevertheless irreprehensible in other respects. Possibly there might be such instances. But this, however, he did say that he had never met with any such case in the whole course of his life. (Cheers.) On the contrary, he had always found that the greater a man's piety was, the greater was the reverential attention which he paid to the Lord's Day. In conclusion, he would merely say that the Christian Sabbath was one of the principal ordinances of our religion, and an ordinance designed for the good continuance of that religion. Woe to any man, or to any community of men, who should seek to do away with it, to subvert its authority, stain its sanctity, or turn it into contempt. (Cheers.)

Dr. Hansard seconded the resolution.

The Rev. Dr. Mackay then addressed the meeting in support of the resolution. The arguments which had been brought forward that evening appeared to him to be of such weight that it was impossible to contradict them, or to come to any other conclusions thereon than such as had been deduced from them by the reverend gentlemen who had preceded him. He did not entirely concur in the sentiments which had been so forcibly expressed, not being able to imagine any circumstance of greater importance to vital Christianity than the observance of the fourth commandment. But still it was a fact that men might fully admit its obligation, and importance, and yet remain very imperfect in their practice of that duty which it so solemnly enjoined. Even by those who entertained no doubt as to the perpetual nature of its obligation, and freely acknowledged its importance as a great Christian duty, there were too often instances wherein the observance of the Sabbath was very far short of what it ought to be. He was quite prepared to allow that the devout observance of this holy day did not go unrewarded, and that an obedience to the law in this respect was a thing acknowledged and blessed by the Lord of the Sabbath. Still he must say that he despaired of ensuring a proper and general observance of the Sabbath, whilst those who admitted that its observance was an unquestionable duty, did, nevertheless, not act up to their convictions. The inconsistency of the actual practice of many such persons was frequently deeply injurious to the cause for which they were there assembled—the promotion of a proper keeping of that sacred day. Lurking in the minds of many such there was, he feared, to be found the thought that some were too particular as regarded the duties of the Sabbath. The shortcomings of this class made openings—chinks, as it were,—in the cause, through which the cause was most unjustly attacked and unfairly damaged. Doubtless there were works of necessity which it was both lawful and proper to do upon the Lord's Day. That was what had never been, for a moment, denied; and there had not, as he believed, been anything which had prejudiced them more than the allegation, that they denied the lawfulness and propriety of works of necessity upon the Lord's Day. He would himself not attempt to deny that he had not often had to do actual work on the Lord's Day. He had had to do such work on that day, and had done it; simply because he had felt that the works were of necessity. They admitted that such works of necessity were permissible, but the doing of such was a matter which ought to be dealt with the greatest tenderness and most thoughtful discrimination. Such works had been done, and would still be found to do until the end of time. There was one thing connected with a consideration of this subject, on which he would just say a few words, and that was the miserable assumption of some who were opposed to their cause. If there was any one thing more odious—he might go so far as to say—more utterly hateful than another it was the pretence of those who, in opposing the observance of the Sabbath, pretended that they did so because they were the friends of the poor man, and so did not like any interference with his harmless amusement. Under this pretence these persons were laying the poor open to the greatest amount of injury it was in their power to inflict. What property had the poor man but his day of rest—what time at his disposal but the Sabbaths which the Lord had given him? He feared such opposition to the free enjoyment of the Sabbath by the poor Christian man had its origin in nothing better than selfishness. He feared that a little of this feeling, arising from such motives, was in existence in this colony (if they were to judge from what they had heard that evening,) and that some attempts had been made to bring the observance of the Sabbath into contempt with the labouring classes. In his native country there was a class of politicians—he did not know whether they now existed, as political changes came pretty frequently—entitled Conservatives. He thought this society was highly Conservative, not literally speaking of cessation from labour on the Lord's Day, that of course they sought to obtain in its entirety; but as taking the words of the commandment, adding nothing to them, and taking nothing from them. (Cheers.) They were Conservative of the capital in which they dwelt, for what was our best capital but the thews and sinews of the human body; and in taking the Sabbath from the working man they reduced him not only to moral degradation, but to animal weakness and prostration. He was not worth half the wages if he was robbed of his Sabbath. (Cheers.) It was stated on high authority that bloody and deceitful men lived not half their days; and there were deceitful men, both high and low, learned and unlearned, who would seek to persuade the working man that he could not be benefited at all by adherence to the rule for Sabbath observance which the Bible set forth. They would destroy men by winning them to their own opinions. There was a peculiarity about this fourth commandment: that was—flesh and blood approve it against their own will, corrupt as they were. Let them have a man who, by some accident or oppression, was forced to work on Sabbath days; let him work for some few Sabbaths in addition to his week-day toil, and would that man's flesh and blood approve of Sabbath-keeping, did they think? He (Dr. Mackay) considered they would have such a man's vote in favour of Sabbath observance. (Cheers.) He did not wish to introduce amusement into these proceedings, but a pertinent fact came within his knowledge to which he might cursorily allude. A countryman of his, who he knew to have been well brought up to the practice and forms of Sabbath observance by godly and venerable parents, coming to this colony, he was engaged in what was called squatting. This gentleman had spent a great part of his life at sea. Not many Sabbaths since, one of the servants employed about his house was found doing something very unnecessary on a Sabbath morning—that was, carrying home a dray-load of firewood. His master said to him, "My good fellow you are commanded not to do such things on the Sabbath; let me never see you do it again." A few Sabbaths after, the first thing his master saw in the morning was this same man coming home with another load of wood. On being expostulated with, the man used the old saying, "The better the day, the better the deed." His master, taking him by the collar, gave him a hearty good thrashing, so that he was scarcely able to move. Now he (Dr. Mackay) did not approve of that discipline in order to enforce obedience to the Divine commands; but he must say that although the man received some personal injury, he (Dr. M.) could not help being amused at the practical controversion of the fellow's grounds of defence for Sabbath desecration. The Society was trying, by its efforts to gain this day for holy rest, improving the capital of the country, and at the same time seeking to do good to men's souls. Bringing the subject before the multitude he held to be a noble and an honourable employment, and this could be done by spreading amongst their fellow-creatures and fellow colonists those silent messengers which tended to make the mind to which they were presented give them consideration. By this means he thought they would be able to do the work of the society on a much more extensive scale than hitherto. The Society was not old, and must creep before they could walk; they must seek all the support they could get to strengthen their hands and encourage their hearts. He besought every individual with influence or authority to present the subject to the minds of all those with whom he came in contact. The principle must be admitted, and all that was required was their practical approval. He felt no gratitude to the common sense of mankind for admitting it, as the proof was so abundant that the prosperity or adversity of a country, or its rise and fall, stood most intimately connected with the measure of Sabbath observance that was maintained by its people. Wherever the Sabbath had been most strictly observed, they had seen national prosperity ascendant. Look at the nations of Europe, confining their observations to those which had received the light of revelation, and it would be found that, whenever the holy Sabbath had fallen from the calendar of days sanctified by devotion to the Most High, such nations had lost influence, and would continue to do so from generation to generation. They might restore themselves to power, but they must come, not to be at the head (as the Word of God said), but the tail, and give way to better manners and principles than their fathers held. Then they would see prosperity returning to them. He had spent Sabbaths in Scotland, and he regretted to say that if there were improvements in some respects, there were sad circumstances of a contrary kind. He had the happy privilege of spending the Sabbath in North Wales during his short visit to Britain last year; and the manner in which he observed the Lord's Day to be spent there, was a standard of Sabbath observance, unequalled, he must freely say, by anything he had seen in Scotland. Could he have daguerreotyped the scene he saw at from early morning till late evening, he could scarcely portray the air of deep solemnity, piety, purity, and, he might say, practical holiness, which characterised the conduct of every individual in that country town of Balla, a name not unknown to the religious world. There was peace, good order, and advancement, which supplied many instances to make good the arguments he had referred to. He would read an extract from a tract, which he thought might very properly accompany the Society's report:—

> I read in one of the papers of the society you mentioned, the following passage:—"It cannot be doubted that nations and kingdoms flourish or decay in accordance with the practice of piety, diligence, and temperance; or the prevalence of ungodliness, idleness, and intemperance. The Sabbath-day is an encouragement to the first, and a preventative to the last. So the observance or profanation of this holy day, is like a weather-glass, shewing signs of the rise or fall of a nation. This is also applicable to particular persons. The Sabbath, like its Lord, is a rise or fall to many; there is neither rank, riches, learning, or talents, that can save the transgressors or the despisers of the fourth commandment from condemnation. While the humblest disciple that uses its privileges, is exalted to honor, immortality, and glory. The Sabbath is properly termed the queen of the other days; and we may say that faith, hope, and love, are her companions and servants. The gates of her palace are open, she invites all her subjects to her presence, and bountifully offers to satisfy all their wants. The Sabbath continues the same, though the ceremonial law has been abolished. Various comparisons in their greatest abundance cannot set forth the full value of the Sabbath to nations, churches, subjects, or particular persons. It is the memorial of the creation of the world, and the remembrance of the resurrection of Christ. It is the ordinance of our God, and the Court day of our King. It is the seal of the covenant, and sign of our profession,—the castle of the kingdom, the feast of the church, the shield of the common-wealth; it is an almoner to the poor, a refuge to the weary, a teacher to the child, a guardian to the youth, a comforter to the old, a touch-stone of obedience to the professor, a day of jubilee on earth, the fore-runner and shadow of heaven."

This was from the published letter of the late Rev. John Elias, of Anglesea. There were one or two more remarks he felt constrained to make. On his return to Europe, his eye could not but be caught by a long reach of the Thames with which he had been familiar, for he noticed that on the Sabbath the amount of locomotion there was very much smaller than he had ever seen it before, when, years ago, he had had opportunities of observing it. The sailing ships were incomparably less frequently despatched on that day than they had been twenty years before; and with regard to the Mersey—which was before London as far as vessels entering and leaving was concerned—he could hardly find any ships leaving on the Sabbath, notwithstanding that he kept his eye well open. The same was the case with the Clyde. There were on this river, however, two unhappy steamers, going on the Lord's day; and he might also state, what was worthy of commemoration, that these steamers had become so odious to the public that, whilst on other days, the rest of the steamers were crowded, these two were almost totally empty, and looked more like ghosts on the water, and that not good ones. He was sorry to say the number had been doubled since that time; but while this was the case he felt sufficient confidence and assurance in the principles of his countrymen in their regard for the strict observance of the Lord's day to believe that this desecration would be put down. There had been public meetings for the purpose, or, as our friends across the Atlantic would say, "indignation meetings." Knowing the parties, he had reason to believe that the doubling of the number was just done in a fit of desperation, in order to introduce and fix the habit. Whilst God had given the Society in this colony success, they should use all their means to check that abomination—the violation of the Sabbath by the coasting trade, and especially by the coasting steamers. The position of men who took upon themselves to transgress God's law, so flagrantly for filthy lucre's sake, and in so broad a way, he did not envy. The rest of the Sabbath belonged to the operatives of those steamers; and whether their owners paid them higher wages for the loss of it he did not know, but he questioned it very much. There could be no necessity for depriving them of it, and why not let men enjoy their Sabbath in the harbour of Sydney? This was a festering sore upon the morality of this colony; he felt that no man could enjoy himself on board. How could he under such circumstances? Although the Society might not have arms sufficiently strong to grapple with this abomination, much might be done by perseverance towards abolishing such a cruelty and disgrace. It would not be tolerated in Britain, and why should they tolerate here what was not suffered to exist in their native land? (Cheers.) He begged to second the resolution.

The resolution was then put and agreed to unanimously.

The Rev. W. Hessel moved the third resolution:—

> That this meeting desires to record its thankfulness to the Giver of every good and perfect gift for the appointment of an ordinance so essential as that of the Sabbath, to the welfare as well of nations as of individuals; and its sense of the duty incumbent upon all, whether in public or private life, to exert their influence in promoting the due observance of the Lord's Day.

The sentiments in theology, the logic, and the spirit of this resolution, entirely agreed with his own views and feelings. He adopted them with all his heart, and had no hesitation in commending this resolution to the reception and adoption of that intelligent and respectable audience. Several propositions were presented to their minds in this resolution. First, that the Sabbath was an institution of Divine appointment; secondly, that its observance was essential to the welfare both of nations and individuals; and, thirdly, that it was the duty of all, whatever their station, to commend and promote the observance of the holy Sabbath amongst men. He could not but admire the harmony of the propositions. The propriety of the observance of the Sabbath might be advocated by a variety of arguments connected with secular and moral interests. He felt for one that he was not so safe and strong in the maintenance of this holy day, as when he based his arguments upon its appointment by God. (Applause.) Objections had, no doubt, been taken to the observance of the Sabbath day, and the arguments brought against it must be admitted to be extremely weak and inconclusive. It had been called a Jewish dispensation. The very wording of the Commandment was directly opposed to that sentiment. It was instituted by God at the creation of the world—(applause)—at the time of man's innocence, and afterwards embodied, with reference to that institution, in the decalogue; and the Lord Jesus Christ, in his sermon upon the Mount, as clearly shewed it was of perpetual obligation to the end of time. (Applause.) If then the Sabbath was appointed by God, it was rational to say, that it was for the interests of nations and men that the law should be kept, and it became their duty as people of God, and as the lovers of their species, to commend and promote its observance amongst mankind. All the propositions in the resolution were based upon the immutable foundation of truth and righteousness. With regard to the second part, that the observance of the Sabbath was essential to the welfare of nations and individuals, it was clear that it was so, because its due observance was necessary to secure the Divine blessing both upon nations and men. Those who violated the holy day committed a crime against God: and he had in his experience often witnessed the failure of the schemes of those who had violated the Sabbath. During the Crimean war he was living in Portsmouth, and all that particular time it became necessary to make an effort to build wooden houses for our soldiers. The sound of the axes and hammers and planes was heard throughout the week night and day, and even during the Sabbath. They were built at the expense of tens of thousands of pounds, and were shipped at last for the Crimea. But what became of them? They rotted on the wharves at Balaclava, whilst the soldiers died in hundreds from cold and misery for the want of them. There was some fatality about them, and it turned out that they were of no use to the army. It was remarkable also to see how all their public men who conducted the arrangements, and who had permitted the violation of the Sabbath of those under them, had failed under the frown of Providence. The observance of the Lord's Day was of the utmost importance to the welfare of nations and individuals, because it was essential to the progress of religion, whether in the nation or human heart. There was a great difference on this subject between the fathers of the reformation on the continent of Europe, and their own happy land. The fathers on the continent held in light estimation that holy day. That was the chief distinction between them and the reformers of Britain. What was the consequence? On the continent Protestantism became a weak supine thing, and was overrun with idolatry, whilst in England it retained its vigour, its strength, and its power, and had made its influence felt in almost every part of the world. (Applause.) The observance of the Sabbath was essential to the welfare of nations and individuals, because it was essential to their physical and moral prosperity. He endorsed the sentiment of the Rev. Dr. Mackay with regard to the Sabbath observance upon the condition and wordly prosperity of nations. Which were the richest nations of the world?—the Sabbath keeping, the British, American, and Jewish. They were the richest under the sun. The Jewish nation was famed for its wealth and money making, and they kept not only their own Sabbath, but the Christian Sabbath too, so that it would appear seven days labour was not necessary to make men rich. Seven days' work incapacitated a man from working, and deteriorated his physical being. There was no sinew like to English sinew—(applause)—no tact, no skill, no perseverance, like that of the English nation. Go to the Continent, and they would meet a lot of lazy, smoking, coffee-drinking people, living in idleness, and making women manage their business, and that kind of thing. The sin of Sabbath-breaking lay to a great extent at the bottom of the misery and distress which was seen in those nations. They were obliged to be governed by the power of the sword, and no wonder, having set themselves against God's law, having disregarded the Sabbath, they had done away with the barriers against moral corruption, and the reason why they could not be constitutionally governed was that they were given to immorality and crime. He looked upon the observance of the Sabbath as a great safeguard against superstition and the prevalence of crime. Those who advocated the relaxation of the Sabbath day had said that it would improve the morality of the people, but they forgot that there was a deep moral sense implanted in the hearts of the English people. It was the education, tempered by religion, which had been given to all classes of the people, that had enabled them to observe this holy law, and therefore those who advocated its relaxation put it in this false light, as the means of promoting intelligence, and advancing the interests of morality. They professed to be the friends of the poor, to be benevolent to man, but he thought when a man professed to be more generous and benevolent than God, he justly exposed himself to the scorn and derision of mankind. (Applause.) Such was the position in which the Anti-Sabbath League men put themselves. They said the law was too severe, and that it restricted men's rights and liberties. There was another point, which had been stoutly maintained by lords and members of Parliament at home. They said that relaxation of the Sabbath law would promote the morality of the people, and that the railway trains and excursions would take the people from the public-houses. He thought it could be shown that respectable sin was not less displeasing to God, and that the man who left one violation of the law to go into another, did not better his condition. They ought to take care that their young people were not betrayed into breaking God's laws, for this Sabbath-breaking was the road to ruin, and the way to hell. (Applause.)

Mr. Mills seconded the resolution with all his heart, because being called on daily to labour for his living, he should be embarked in a sea of trouble, and life would be a ceaseless trial unless he could enjoy the sweet rest of the Sabbath Day. They actually required some period uninterrupted and uninfringed upon, to consider the great blessings of the Sabbath Day.

The Rev. Mr. King then said there would be a collection made at each door in order to obtain necessary funds for this meeting and to carry on the work of the Society. He had received a copy of the report of the London Sabbath Day Observance Society, and felt interested in noticing that the labours of the London society were the same as those which had occupied them during the past year. He found that the London society had had a correspondence with the Great Northern Railway Company on the subject of running Sunday trains. Then they took up the subject of omnibuses, which subject was now on the paper for the consideration of their own committee, who would consider on the possible and probable means of putting down Sunday travelling. The next subject in the report was about the cabs and it appeared that out of 4700 cabs in London, 1740 did not ply on the Sabbath. Then they considered the unnecessary use of carriages to carry people to divine worship. At times this came under the case of works of necessity, to which Dr. Mackay had alluded. Some of his people lived at such a distance from church, that unless they made use of their carriages they could not attend at all. But it was not always a work of necessity, and was not to be taken up without sufficient cause. Then came the subject of trading, which still prevailed, particularly in the metropolis, and a new society in addition to the one previously established had been formed to prevent Sunday trading. Then there came a reference to the work in which the committee had been engaged in during the elections, when, by means of advertisement, they had called upon the public only to support those candidates who were favourable to the observance of the Lord's Day. Some reference was also made to the progress of similar societies in Australia. He had referred to this report in order to show that they were not alone in the work in which they were engaged, for others were engaged in similar works in several parts of the world. He trusted those who felt an interest in it would also feel a deep interest in the work of similar societies in other places, and whilst praying for a blessing for themselves, that they would also pray for them. The more he saw of the work of this Society, and the position of this colony, the more important and necessary the Society appeared to him, and the more was he resolved, by the blessing of God, to be found by the side of the fourth commandment, and not against it.

The resolution was then put, and carried unanimously.

The Bishop having left the chair, it was taken by Mr. Bonar.

The Rev. Mr. Beazley moved a vote of thanks to the Bishop for presiding over the meeting.

Mr. Caldwell seconded the motion, which was carried by acclamation.

The Bishop, in returning thanks, said he was very glad to do anything for the advancement of a cause which commended itself to the community in which he lived. He believed no greater good could be effected for the rising generation, or for a young colony, than implanting the fear of the Lord, which would evidence itself in the holy keeping of the Sabbath Day.

The doxology having been sung, and prayer offered up, the meeting separated at 10 o'clock.

The People's Concert.—With a view to the moral and social improvement of the people, the first of a series of cheap concerts was given yesterday evening in the Temperance Hall, in connection with the new South Wales Alliance. This is evidently a step in the right direction, and it must have been highly gratifying to the committee to meet, at their first concert, so large a body of the class the amelioration of whose condition they have in view. Cheap concerts in England have proved successful, not only as aids in the cause of temperance, but also as incentives to the attainment of proficiency in the musical art, and, in many instances, they have been sufficiently remunerative to pay liberally for the service of first-class artists. But even there, very valuable assistance is rendered by amateurs, and very often there, as here, professionals are found generous enough to co-operate without regard to the usual fees of their profession. It by no means follows because these concerts are cheap that therefore the music is characterised by that other quality which distinguishes things cheap only in name. The concert of last night was a sufficient proof to the contrary. With the exception of the substitution of a romance with variations, instead of the selections from Il Trovatore set down as the flute solo to be performed by Mr. Richardson, there was no deviation from the programme. In the first part Madame Flora Harris was encored in her canzonet "Truth in absence." Mr. Brooks was also recalled, after singing Henry Russell's "Ship on fire," and he substituted the humorous song commencing "'Tis time I should talk to your mother." Mr. J. Howson, on being loudly encored, in "Of what is the old man thinking," sang, with much feeling, "Katty, darling." The glees by Madame Flora Harris, and Messrs. Howson, Banks, and Sussmilch, and especially the flute solo by Mr. Richardson, were also much admired. The second part was not less successful than the first, the chief feature in it being the performance of Madame Jaffa on the pianoforte, which was superior even to her performance at her own concert in the Exchange a few days ago. Her "Songs without words" (by Mendelssohn) were loudly encored, and the popular airs which she afterwards played—commencing with "There is nae luck about the house," with sparkling variations—were enthusiastically applauded. At the commencement of the concert Mr. Ronald announced that it was the desire of the committee to continue these harmonious meetings periodically, bi-weekly or monthly, as success might seem to warrant. There cannot be much doubt about their continuance after the entertainment of last night. The concert was under the management of Mr. T. V. Bridson, and presided over by Mr. C. Packer, as musical conductor.

The Bathurst Bazaar.—The *Free Press* states that the amount collected up to Thursday night, was upwards of £1100.

Marble Mantelpieces and Toilet Table Slabs, Iron and Brass Bedsteads, &c.—We have been requested by John G. Cohen to call the attention of buyers to the sale of the above, at the Bank Auction Rooms, this day, Tuesday, September 27th, 1859, at 11 o'clock.—Adv.

ABSTRACT OF SALES BY AUCTION THIS DAY.

MR. J. G. COHEN.—At his Rooms, at 11 o'clock, Marble Mantle pieces, Toilet Tables, Washstand, Black and Gold Slabs, and Brocatella ditto, Iron and Brass Bedsteads, Children's Cribs, &c.

MESSRS. W. DEAN AND CO.—On the Circular Quay, at half-past 2 o'clock, New Zealand Potatoes, ex Christopher George.

MR. ROBERT MURIEL.—On the Premises, Britannia House, Lower George-street, at 11 o'clock, the whole of the Stock-in-Trade, Fixtures, &c., comprising Plain and Fancy Drapery, Hosiery, Haberdashery, Clothing, Slops, Woollens, Sailors' Requisites, Shop Fixtures, Show Glasses, &c.

MESSRS. FRITH AND PAYTEN.—At their Rooms, at half-past 10 o'clock, Marr's Patent Iron Safes; at 11 o'clock, Jewellery, Brushware, Galvanised Iron Chains, Office Clocks, Fancy Goods, Earthenware and Glass, Bohemian Vases and Lustres, and Damaged Oilmen's Stores.

MESSRS. PURKIS AND LAMBERT.—At their Mart, at 11 o'clock, Dolls, Beads, Portmonnais, Fusee Cases, Gold and Silver Jewellery, &c.

MR. C. MARTYN.—At the Bazaar, at 11 o'clock, Horses, Harness, Carriages, Gigs, Dogcarts, Spring Carts, Drays, Trucks, Saddlery, &c.

MESSRS. BURT AND CO.—At their Bazaar, at 11 o'clock, Horses, Dogcarts, Gigs, Trucks, Drays, &c.

MR. S. WOOLLER.—At his Repository, at 11 o'clock, Horses, Spring Carts, Gigs, Drays, Harness, &c.

MESSRS. PRITCHARD AND WILLIAMS.—At their Mart, at 9 o'clock, Fat Beef in Carcase.

MR. J. P. STAFF.—On the Premises of Mrs. Edrop, Church-street North, Parramatta, at 11 o'clock, the Stock-in-Trade, comprising Linen and Woollen Drapery, Hosiery, Haberdashery, Millinery, Boots and Shoes, Combs and Brushes, Hats and Caps, Beads, and various Fancy Goods; also the Household Furniture.

THE SHERIFF.—At the London Tavern, Sydney, at 12 o'clock, Allotments of Land in the town of Berrima.

Central Illawarra Municipality.—On Friday morning, the returning-officer for the election of nine councillors to form the first council of this municipality, officially declared the state of the poll at Dapto, which resulted in the return of Messrs. Ritchie, Higgins, and Jenkins, for No. 1 ward; Messrs. Stewart, Gerard, and Lindsay, for No. 2 ward; and Messrs. Evans, Osborne, and Brown for No. 3 ward. The auditors—Messrs. Hobbs and Blackman had been declared elected on the day of nomination.—*Illawarra Mercury.*

Shoalhaven.—The wheat crops here look remarkably well, and have derived much benefit from the late rains. The potatoes have not been so fortunate, as I hear of a great many potatoe crops being completely perished, owing to the standing water. This will entail an additional amount of labour on the agriculturist, and be, to all intents and purposes, an accumulation of toil.—Mr. Licensed Surveyor Parkinton is still measuring near Parma. A great many applications have been made for small farms at Tindyandy and Boogonz, now occupied as a run by Dr. Mackenzie. The land here is very rich, and ought to be measured forthwith to satisfy the demand and continual cry for "Land, land, land."—*Illawarra Mercury.*

Inquest.—An inquest was held at the Crooked Billet, George-street, yesterday, on the body of an infant named Mary Ann Hutton, aged five weeks. The deceased was a healthy child up to the time of its death. On Saturday night the mother and child retired to rest at the usual hour, and nothing occurred throughout the night to lead to the suspicion that it was unwell, but on the mother rising in the morning the infant was found dead. A slight discharge of froth and blood was observable round its mouth. When examined by a medical man the body was much discoloured on the right side, and appeared as if it had been overlaid. Verdict—Died from suffocation by being overlaid; but whether accidentally or otherwise we have no evidence to show.

Inquest on Chinese Immigrants.—The Coroner's inquest on the bodies of the three Chinamen whose bodies, as stated in our issue of yesterday, were brought on shore from the ship in which they had just arrived from Hongkong, on Saturday evening, was held at the King's Arms Inn, George-street North, yesterday. The principal facts adduced in evidence at the inquest were briefly as follows:—The American ship Bell Rock, W. H. Harrison, commander, left Hongkong on the 9th June last, bound to Sydney with 140 Chinese passengers, all in apparent good health when they embarked. A Chinese doctor, having a supply of Chinese medicines, was placed in charge. Before leaving Hongkong, the ship was measured, examined, and approved of by the emigration agent at Hongkong; the provisions and water for the use of the Chinese passengers were also inspected and approved of. The passage from Hongkong to Sydney occupied 106 days. During a great part of the passage the heat was excessive; six days of severe stormy weather were also encountered. The captain appears to have endeavoured to touch at the Sandwich Islands, and other islands lying near his track, for the purpose of obtaining fresh supplies, but was unable to do so on account of unfavourable winds. On or about the 1st of September the first death among the Chinese on board took place. He was sick for a fortnight, and appeared to have died from consumption. Some three or four days afterwards, another Chinaman died; the appearance of the body after death indicated scurvy as its cause. Subsequently, twelve others died at intervals, making fourteen in all before arriving on the coast. After making the land it was reported to the captain that a man was dead below, but that they (the Chinese) wished to be allowed to keep the body till the ship arrived in the harbour, in order that it might be buried on shore. This wish was supposed to be owing to the fact that the deceased was a merchant. The captain intended complying with the request, and ordered his carpenter to make a coffin for the body; but when it was brought on deck it was found to have been dead several days; and as decomposition had set in, it was found necessary to bury it at once, which was done accordingly. When the ship entered the harbour, the health officer came on board, and on being informed that there was no contagious disease on board, passed the ship. The Chinese were mustered for the inspection of the health officer, but it came out afterwards that, unknown to the captain, three of their number, whose subsequent deaths formed the ground of the present inquiry, were lying sick in their berths below. One of them died the same evening, and the other two the next morning. None of the ship's crew died during the passage. The Chinese were very filthy in their habits, and averse to exercise of any kind. It was stated by the captain that he did not believe half of them had seen daylight from the time of leaving Hongkong to arriving in Sydney. They were not made to do anything connected with the working of the ship, nor were any of the officers allowed to beat or ill-use them. They slept four or five together, in a berth, which were of iron materials, erected for the present passage. The Chinese doctor, on being examined (through an interpreter), spoke to the good quality and sufficient quantity of the provisions which had been served out; also to the good treatment received at the hands of the captain and officers. A post mortem examination of one of the bodies was made by a medical man, when there were no appearances to indicate that death had resulted from other than natural causes. All three bodies were exceedingly filthy, covered with vermin, and appeared to have been neglected. This appearance corresponded with an observation made by the captain to the effect that as soon as any one of the Chinese gave indications of sickness he was deserted by his countrymen and left to die. Captain H. H. Browne, Agent for Immigration, attended the inquest to watch the proceedings. He had also inspected the ship. On being examined, he stated that the space allotted to the Chinese appeared sufficient, and the provisions that remained on board were of good quality. He gave it as his opinion that the disease of which so many of the Chinese passengers had died was scurvy, induced, probably, by the unusual length of the passage, coupled with the slothful habits of the people. The jury returned a verdict in accordance with the evidence.

Municipal Council, Randwick.—At the usual weekly meeting, held on Friday, 23rd September—present, the chairman and a full Council—the following business was transacted:—The minutes of the previous meeting were read, and signed by the chairman. Letters were read—1. From the Department of Lands and Public Works, with reference to the extension of Cleveland-street into the Randwick and Coogee Road. 2. From Mr. Charles Moore, offering a subscription of £25 towards the proposed road along Beach-street. 3. From various other proprietors of property in the neighbourhood, engaging to pay certain amounts towards making the road from Whale-street along Beach-street and to Varna-lane. The surveyor brought up a report, estimating the cost of making Allison-street from its intersection with the Frenchman's Road to its intersection with St. Mark's Road, at the sum of £120. Resolved, that the above report of the surveyor be received. Resolved, that as soon as the amount subscribed by the owners of property in Allison-street, viz., £62, be paid into the hands of the treasurer, that the work be carried out as far as the said amount will go, and that the remainder be completed by the Municipality out of their first available funds, in accordance with the resolution of Council of the 27th May. Mr. Hebblewhite postponed his notice of motion till next week. Resolved, "That the street on the north of Lewis Gordons 2 a. 2 r. 20 p. be named Waratah-street." Resolved, "That the road from Whale-street, along Beach-street to Waratah-street, be commenced, under the resolutions of Council of the 27th May, as soon as the money subscribed has been paid in, and the said work to be carried on and completed as soon as the Council has sufficient funds for the same. An application was read from William Egglestone, requesting permission to quarry a small portion of stone from the quarry in Whale-street, under the usual conditions. Resolved, That the above request be complied with. Notices of Motion:—Mr. Thompson to move—That the petition dated 17th September, for making a certain road, and engaging to pay subscriptions to the amount of £208, be accepted by this Council, and that immediate steps be taken to carry out the prayer of such petition. Mr. Kidman to move—That the surveyor be instructed to report to this Council the amount required to make a road from Whale-street along Beach-street to the corner of Allison-street, and the probable amount required to make Brook-street from Whale-street seven chains south. The Council then adjourned.

Election for East Macquarie.—Pursuant to announcement, a number of the electors for East Macquarie met on Thursday last, at Mr. Vines' Coach and Horses Inn, Kelso, for the purpose of presenting to Mr. T. J. Hawkins, a requisition from the electors, requesting him to allow himself to be placed in nomination for the representation of that electorate at the forthcoming election. It was a most respectable company, but in consequence of the uncomfortable state of the weather there was not so numerous an attendance as had been expected. The chair was taken by Mr. T. Lee, who having explained the object of the meeting, said he held in his hand a list of names affixed to the requisition, and he was of opinion that the list was sufficiently long, and the names sufficiently influential to induce Mr. Hawkins to accede to the wishes of the requisitionists, and to satisfy opposing parties that opposition in this instance would not prove of much avail. He would read the requisition which was signed by about 180 electors and there were also other lists with many names attached which had not yet been returned, but he thought they had made a very good commencement, and that Mr. Hawkins might enter the field confident of success. The chairman then read the requisition. Mr. Hawkins was glad to see so many persons in that meeting who had been long acquainted with him; for he was sure they would not be there to support him, if they were not confident that he would, as their representative, study to preserve and promote their interests, in doing which he would at the same time be indirectly promoting his own. He then read a reply to the very flattering address which had been presented to him, and concluded by saying that, having so recently explained his opinions upon the leading questions of the day, he thought it would only weary the meeting if he attempted to repeat them. Still, if they thought it desirable that he should enter into such an explanation, he would cheerfully do so. This was considered by those present to be unnecessary. Mr. W. Lee, senior, begged to move—"That in the opinion of this meeting Mr. Thomas Jarman Hawkins is a fit and proper person to represent the constituency of East Macquarie." The motion was seconded by Mr. Glasson, and carried unanimously. A committee was then formed to secure the election of Mr. Hawkins, and, after a vote of thanks to the chairman, the meeting terminated.

A Night wi' Burns.—Yesterday evening, Mr. J. R. Black's literary and musical entertainment, illustrative of the life, writings, and genius of Robert Burns, was given at the Australian Library, under the patronage of his Excellency the Governor-General, who was present. The audience was very select, and the efforts of Mr. Black were received with considerable favour. We would particularly mention his rendering of those fine songs, "O wer't thou in the cauld blast," and "My nannie's awa." This gentleman possesses an excellent voice, the effect of which, however, in his anxiety to do justice to his subject, he sometimes mars by over-earnestness. At the close of his programme, Mr. Black, by request, introduced, with good effect, one or two favourite English and Irish songs, and brought the evening's entertainment to a close by crooning "Allister M'Allister," with a vocal imitation of the bagpipes, which elicited much mirth and hearty bursts of laughter. The entertainment, as a whole, was worthy of commendation.

We are requested to direct the attention of potato dealers and others to Messrs. W. Dean and Co.'s sale, this day, at half-past two o'clock, on the Grafton Wharf, of forty-seven tons superior New Zealand potatoes, ex Christopher George, just arrived. No Reserve.—Adv.

GOLD NEWS.

(From the Bathurst Free Press.)

Ironbark.—The number of hands working on the Jingera and Golden Gully Quartz Reefs is still on the increase, and fresh claims are marked out daily, the busy workers being frequently cheered by the sight of quartz highly auriferous. As may naturally be expected when the subject of dispute is valuable, a few misunderstandings have arisen as to boundaries of claims, &c., but all differences in this respect have been amicably adjusted by the Commissioner.

Mookerawa Creek.—Some heavy gold has been taken out here during the past few weeks, and a nugget of 25 ounces was found by a Chinaman, within a few yards of Davis' public-house. Several parties of Europeans have been doing extremely well, but the two publicans have been doing better than the others, as many of the diggers are very clever fellows, and employ all their spare time into transforming their gold into alcoholic fluid. Higher up the Creek, near the foot of Specimen Hill, a few parties are making good steady wages; water is plentiful and the diggers on the average are very successful.

Burrendong.—A few old hands still remain at work on the noted Quartz-reef, and generally speaking, are well paid for their labour. There are nevertheless a few parties who have been getting but very little for several months. Fortune is exceedingly fickle on this reef, the yield being very uncertain. One of the most successful reefers, named Travis, has sold out and retired with a handsome competence, acquired during a few months' continued success.

Prospecting.—The *Braidwood Daily News* says:—Some rich specimens of quartz having been found in the neighbourhood of Tantulean Creek, which in the opinion of an experienced miner lately arrived from Adelong, having been cast from a reef somewhere in the immediate vicinity of the spot where they were found, a systematic course of prospecting is about to be prosecuted. The party to whom we allude has had considerable experience on the quartz reefs both in Victoria and this colony, and pronounces the specimens to be very auriferous; and should they prove to be average samples of a reef that a vast amount of riches remain as yet undeveloped in the locality of Mongarlowe.

TO THE HONORABLE CHARLES COWPER, ESQ., COLONIAL SECRETARY.

(For favour of the Sydney Morning Herald.)

Sir,—Persons situated as I am, some hundreds of miles from the seat of Government, have few opportunities of learning what are the topics which occupy the public mind of Sydney. Lately I had my attention drawn to the report of the Cowper banquet—a subject probably forgotten by many by this time. To me, however, the account is fresh and interesting, and I eagerly caught at it in the full conviction that I should find in it unbounded cause to congratulate the country in general, and myself in particular, on the fortunate circumstance which had tended to secure to us a Minister who had at last silenced the querulous and exposed the weakness of his opponents, by the disclosure of the numerous benefits which he had effected during his long administration.

Sir, shall I candidly say that I was deeply grieved and sadly disappointed by the perusal of your speech. Out of the thousand-and-one subjects at hand to try your skill and ability on, I notice but two where you lay claim to the having effected an improvement, namely, the Survey Office and the Crown Law Office.

With the former I have nothing to do at present; but I desire to say a few words respecting the latter. I find that you have abolished the offices of Criminal Crown Solicitor and Civil Crown Solicitor, and established both under one head—with the title of Crown Solicitor. Now, Sir, I desire not to speak disparagingly of the gentleman who has been appointed to this office. I know him, and believe the choice could not have fallen on a more worthy man. But, I would ask you to go back, in memory, some twenty years, and we find that, about that period, Mr. Francis Fisher, a gentleman of the highest attainments and ability, exercised the same functions which are expected from Mr John Williams; and, at that early period, it was found impossible for one man to perform the various duties of the office, either with satisfaction to himself, or with justice to the public. And the change was then effected, which continued up to the time of your trying your inventive skill. Mr. John Moore Dillon was the first and only Criminal Crown Solicitor the colony ever had. And how, Sir, I would ask, did he perform the trust imposed on him? I believe you cannot answer the question. I doubt if you eve entered his office, and I am assured that you cannot know wha were the duties which he performed. I shall, however, attemp to tell you somewhat of the history of that office, gathered from facts which I have had the means of personally knowing.

Mr. Dillon found the office a chaos of confusion. He found papers and other things in the most admirable disorder. He found in fact "everything uppermost and nothing at hand, like a midshipman's chest." And like a man who was determined not to eat the bread of idleness, he set to work to put the establishment in ship-shape order, and, after an amount of labour and drudgery, he so thoroughly changed the state of things, that, at the time he left the office, or rather I should say was dismissed the office—it is an undoubted fact which you know, or if you do not, you ought to have known—that there was not a single case, or deposition, or subpœna, or other document belonging to, or connected with the business of his office for the last *twenty years*, that he could not put his hand on at a minute's notice! Of the hundreds and thousands of cases of crime which had to pass through his office, there is not one but bears on it the proof that he did his duty, and did not depute to others to do that for which he was paid. When he entered upon his duties, if my memory serves me correctly he had three clerks in his office. But as he made it a rule not to complain of want of assistance, small pay, and so on, as some others have done, the impression obtained that he had not enough work for all hands, and therefore one clerk was done away with. After a time, finding that the work still went on as heretofore, and that no one ever heard of the Criminal Crown Solicitor's office, except in the way of business—the wiseacres of the Legislature conceived the happy idea that there must, in fact, be little or nothing to do in the department, and therefore they abolished the second clerk. Well, Sir, Mr. Dillon continued to work on with one clerk. He carried out, without fault or blemish, the criminal business of the Supreme Court in Sydney and the four Circuit Courts (now reduced to three) of the colony, attending personally at some one or the other, whilst his clerk attended those whereat he could not be present. During his absence papers used to accumulate; but of this he complained not. The first thing done on return from circuit was to wipe off arrears, and start afresh in the race of public work. But not one word all this time was uttered to the public or otherwise of the state of affairs. He did his duty, and was satisfied. But you, Sir, it would seem, discovered the happy thought that it was time to put the extinguisher on an officer who could go on for twenty years without raising the cuckoo cry of hard work, &c. Whether the Legislature will approve of your action, and confirm your treatment I know not. Neither shall I attempt to say how far the country will be benefited or otherwise, by his change. But permit me to quote a passage from the *Goulburn Chronicle*, of the 17th August, 1859, not long after you had made the present quasi-improved state of affairs. You will find it in their Sydney Correspondent's article:—"Mrs. —— has been committed to take her trial on the charge of perjury, brought against her against her by ——. The case disclosed culpable negligence on the part of the Crown Solicitor's department. Four papers, which were produced at the trial of ——, and which at its close had been returned to the Crown Solicitor, were now not forthcoming." Of a verity, Sir, you *have* made a change in the department. But Mr. Dillon is not without his fault (I will not say faults). He is a cousin of John Hubert Plunkett's, and, to my mind, that is his great and only fault.

I have the honour, to be, Sir,
Your obedient servant,
"OUT-OF-OFFICE."

Armidale, September, 1859.

ST. MARY'S CATHEDRAL.

To the Editor of the Sydney Morning Herald.

Sir,—In your report of the proceedings at the meeting of Catholics held yesterday evening, a misstatement occurs, which you will please correct. The mis-statement is:—"The Rev. Dean O'Connell, for the Archbishop, had consented to *leave part* of this money (viz., the £500 bequest of the late Alderman Hogan) in the hands of the committee," &c. The statement made was, that the Rev. Dean O'Connell, for the Archbishop, had in the most liberal manner agreed to place the entire £500 under the management of the committee towards the completion of St. Mary's Church.

I am, Sir, yours, &c.,
EDWARD M'ENCROE.

26th September.

Botanic Gardens.—The band of the 12th Regiment will perform a selection of music this afternoon, at half-past three p.m., under the direction of Mr. Callen (weather permitting):—Programme—Overture, "Occasional"—Mueller; selection, "The Czar and Zimmerman"—Lortzing; waltz, "Satanella"—Laurent; selection, "La Favorita"—Donizetti; quadrille, "Minden"—Callen; polka, "My Mary Ann"—Julien; "God save the Queen."

Increase in the Rates of Postage on Newspapers.—It is satisfactory to find that the colonial Governments and Legislatures are decidedly opposed to the scheme of the home postal authorities for doubling the postage on newspapers to and from the United Kingdom. Sir H. Barkley has already addressed a remonstrance to the home Government, on the part of Victoria, against the proposed increase; and a similar remonstrance will shortly follow from New South Wales. It is to be hoped this will have sufficient influence to prevent the imposition. It needs little reflection to show that the ready diffusion of the colonial papers amongst the population of the United Kingdom is one of the best means of making known to the people at home the real condition of these colonies, and of enabling them to form a judgment of the advantages of Australia as a field for emigration. On the other hand, nothing tends so effectually to keep alive the feelings of relationship between the old country and the colonies as a similar diffusion of the home papers amongst our population. These facts were generally admitted by honorable members in the course of the discussion in the Assembly the other night on Mr. Darvall's motion condemnatory of the proposed increase. With one exception, the value of the newspaper press generally as a means of information, and the respectability and good standing of the colonial Press in particular, were admitted by every speaker. The Press of this colony has been liberally dealt with by the Legislature hitherto; facilities have been given for the free transmission of newspapers from one end of the country to the other; and the debate the other night proves that this liberal and wise course will not be departed from. The one exception referred to was furnished by the speech of Mr. Forster, the honorable member for Queanbeyan. That gentleman has been, perhaps, unfortunate in his newspaper experience. One thing is certain, he has never concealed his contempt for, and dislike to, everything in the shape of a newspaper. Such contempt is unwise, and such dislike is without substantial foundation. The newspaper press in New South Wales, as elsewhere, in the British dominions, whatever may be its shortcomings, is a great fact. It cannot be sneered down, even by a man of Mr. Forster's ability and influence, which we admit to be great. We do not despise the honorable member for Queanbeyan, though he may affect to despise our craft. But we venture to tell him that no public man can have formed a just estimate of the condition of this community, or be in a position to take an effective share in its legislation or government, who ignores the position and influence of the press. We have often heard from the Stiltstalkings and Barnacles, and other members of Flunkeydom, expressions of contempt for the vocation of the journalist. These we disregard; but we look for something better from a man of Mr. Forster's calibre. We know why Mr. Forster dislikes the press—because it has failed to take him in every respect at his own estimate. The better qualities of his mind are obscured by an inordinate amount of self-esteem—we had almost said conceit. He has occasionally been handled rather roughly, as is the fate of most public men of any mark; and he has been unable to control the feeling of irritation to which such treatment has given rise. Hence he breaks out at every opportunity into abuse of the newspapers and all connected with them. A statesman should rise superior to these petty feelings. Mr. Forster asserts that if the newspapers are distinguished for any quality, it is for want of veracity. This is one of those general statements which can only be met by a general denial. We have had some little experience of the colonial press, and we have not the slightest hesitation in giving to this assertion a flat contradiction. It is a gross libel on a respectable profession. It would be just as reasonable to assert that the Legislative Assembly, if remarkable for any qualities, is distinguished for ignorance and corruption. We could give instances which would furnish juster foundation for such a statement than any which Mr. Forster could advance in support of his assertion. The colonial Press, as an institution, needs fear no comparison with the colonial legislature. Wholesale condemnations, like that made by Mr. Forster, come with a very ill grace from men who would never be heard of except for the labours of those they calumniate. Mr. Forster has had the ill-fortune to be misunderstood, and we believe he has been greatly under-rated, both by the Press and the public. Justice, however, will be done to him in time, and a truer estimate of his character and capacity be formed. But these exhibitions of petulance on his part towards those through whom alone the public can be effectually reached, will but serve to perpetuate the misunderstanding, which now impairs his influence and weakens his power as a legislator.

AUSTRALIAN MUTUAL PROVIDENT SOCIETY.—Incorporated by Act of Parliament of New South Wales.—Principal Office—Sydney, New South Wales.
JOHN FAIRFAX, Esq., Chairman.
W. H. CHRISTIE, Esq., Deputy-Chairman.
DIRECTORS.
The Hon. THOMAS HOLT, Esq.
GEORGE KING, Esq.
The Hon. JAMES MITCHELL, Esq.
MICHAEL EGAN MURNIN, Esq.
BUSINESS OF THE SOCIETY.
ASSURANCE of every contingency of human life.
ISSUE of Present, Deferred, and Reversionary Annuities.
GRANTING ENDOWMENTS FOR CHILDREN AND FOR OLD AGE.
ADVANTAGES OF THE SOCIETY.
ALL the PROFITS belong to the Members.
It is a COLONIAL INSTITUTION, on the model of the most successful British offices; while from the much higher rate of interest it obtains on its investments, more profitable returns are secured to its members than the best European offices can afford. Thus, at the Investigation of March, 1854, all policies then entitled to participate were increased by Bonus Additions averaging considerably more than three per cent. per annum on the sum assured, or about THREE TIMES those secured by the most liberal British joint-stock companies.
BONUSES may be applied to the extinction of future premiums, or their value in cash may be handed to the member.
SURRENDERS accepted on equitable terms.
GENERAL FACILITIES with regard to voyaging, residence abroad, &c.
PREMIUMS payable yearly, half-yearly, or quarterly.
LOANS on policies on favourable terms.
CLAIMS payable three months after proof of death.
ALL ITS POLICIES are protected against the operation of the Insolvent Laws, after a certain term, on a gradually increasing scale.
POLICIES effected by married women are protected against the debts and control of their husbands.
THE FAMILIES OF SMALL ASSURERS are saved the expense of letters of administration.
PROSPECTUSES, forms of proposal, and every information may be obtained from any of its agents in New South Wales, and in the other Colonies, or at the Principal Office. ROBERT THOMSON, actuary and secretary, Hunter-street, February 15th, 1859.

COLONIAL INSTITUTION.—SYDNEY INSURANCE COMPANY.
Incorporated by Act of Council, 18 Vict., 1855.
DIRECTORS:—
JOHN FAIRFAX, Esq., CHAIRMAN
S. D. GORDON, Esq., M.L.A., DEPUTY-CHAIRMAN
RICHARD JONES, Esq., M.L.A.
T. C. REILLAT, Esq.
THOMAS HOLT, Esq.
M. M. MURNIN, Esq.
Surveyor—JAMES HUME, Esq.
Secretary—Mr. JOSEPH DYER.
Office: the corner of Hunter and Pitt streets, opposite the HERALD Office.
The subscribed capital of the company is £250,000, with power to increase the amount to meet the business of the company. The liability of the shareholders is unlimited.
Within the last ten years the rates of fire insurance have been reduced 75 per cent. by the operation of the Mutual Insurance Company, and the present Company which succeeded that very profitable enterprise; in other words, houses that were formerly charged 20s. per cent. are now charged 5s. per cent., and in some instances less. It is evident, therefore, that by the establishment of these colonial companies some thousands per annum has been saved to the colony. The present company, which has been established three years, has satisfied losses by fire to the amount of £13,000, and has now in hand a reserve fund of £15,835 10s. 6d. over and above the paid up capital. The rates of insurance are as low as those of any of the English Companies; they are as follow, and no alteration is made except there are circumstances calculated to increase the risk.
BUILDINGS—metal or slated roof, stone or brick, 2s. 3d. and upwards.
BUILDINGS—shingled ditto, ditto ditto, 3s. 9d. and upwards.
WOODEN BUILDINGS, metal or slated roof, 8s. and upwards.
WOODEN DITTO, shingled, special.
Agents are appointed in every considerable town in the colony.
N.B.—There is no exemption made in the above company from payment of losses occurring through bush fires, country properties being insured against such casualties.

DERWENT AND TAMAR MARINE ASSURANCE COMPANY.
SYDNEY BRANCH.
Ships insured in this Company are warranted free from average under five pounds per cent, unless general.
Claims for losses or average are payable by the Company at three months after settlement of the same.
Claims for loss or damage are made payable in London if required, policies for the same being granted in triplicate.
Offices, Sydney Exchange, and Patent Slip Wharf, Sussex-street, where applications for insurances will be received.
TOWNS and DARLEY Agents.

IMPERIAL FIRE INSURANCE COMPANY.—Capital, £1,500,000.
Premiums for Dwelling and Counting Houses.
Brick or Stone with slated or metal roofs, from 2s. 3d. to 3s. 9d. per cent. per annum. Ditto with shingled roofs, 3s. 9d. to 5s. 9d. Household furniture at the same rate as the buildings.
Premium for Buildings, Storing Merchandise, or in which trades are carried on.
Brick or Stone with slated or metal roofs, from 3s. 9d. to 5s. 3d. Ditto with shingled roofs, 6s. to 7s. 6d. Merchandise at the same rate as the building.
Bricknogged and Weatherboard Buildings, from 7s. 6d. to 20s.
Ships in Harbour or in Dock, in the Port of Sydney:—
With warranty not to repair, 7s. 6d. per cent. per annum. With liberty to repair, 11s. 3d. Ships building as may be agreed.
Losses from Fire by Lightning made good; and all claims on adjustment paid in Sydney.
GRIFFITHS, FANNING, and CO., Agents, Spring-st

NORTHERN ASSURANCE COMPANY.—Established in 1836.
Incorporated by special Act of Parliament.
Capital, £1,259,760.
Annual revenue upwards of £190,000.
Sydney Agency:
FIRE DEPARTMENT.
Peter Stewart, Esq., Surveyor.
RATES OF PREMIUM:
Class 1.—Brick or stone buildings, slated, metal, or shingled roofs, occupied as dwelling or country houses only, from 2s. 3d. to 5s. 9d. per cent. per annum.
Class 2.—Brick or stone buildings, slated, metal, or shingled roofs, occupied for storing merchandise, or for purposes of trade, from 3s. 9d. to 7s. 6d. per cent. per annum.
Buildings not included in either of the preceding classes, or if occupied for purposes of any hazardous or specially hazardous trade or calling, may be insured by special agreement. Losses adjusted and paid in Sydney.
LIFE DEPARTMENT:
Medical Referee.—John Moon, Esq., Surgeon.
Assurances effected at very equitable rates. Policies purchased by the Company.
Annual premium for £100:

Age.	Without profits.	With profits.
30	2 2 7	2 8 0
40	1 16 8	2 3 11
50	3 19 0	4 7 4
60	6 6 3	6 16 8

Prospectuses, and every information relative to rates and modes of Insurance readily furnished, on application to BUYERS and LEARMONTH, agents, 4, Charlotte-place.

AUSTRALIAN JOINT STOCK BANK.—NOTICE is hereby given, that interest is allowed by this Bank, on fixed deposits as follows, namely:—
At 5 per cent. per annum for a period of 6 months
4 " " " 3 months
For the greater convenience of depositors, Bank Post Bills, with interest added at these rates, respectively, are issued payable to order, and are thus negotiable at any moment.
By order of the Board of Directors,
A. H. RICHARDSON, general manager.

BANK OF NEW SOUTH WALES.—
Paid-up capital £500,000
Reserved fund 190,000
This Bank allows interest upon deposits, if lodged for fixed periods, at rates varying from 3 to 5 per cent. per annum, and allows the immediate transfer of such portion of customers' balances as may not by them be immediately required to a deposit account, at the above rates of interest.
Dividends on shares in public companies, and interest on debentures, collected for customers free of charge.
Investments in colonial securities and also in those of Great Britain, effected.
The agency of Banks, either in the colonies or in England, undertaken on such terms as may be agreed upon.
Credits and drafts issued on England, America, and on the chief ports in the Eastern Seas, also upon all towns within the Australasian colonies.
ROBERT WOODHOUSE, secretary.
Bank of New South Wales, 1st November.

COMMERCIAL BANKING COMPANY of SYDNEY.—Notice is hereby given that a Branch of the Bank is now in operation at Kiama; that a Branch will be opened at Queanbeyan on the 19th instant, and one at Shoalhaven immediately. By order of the Board.
ROBERT NAPIER, Manager.
Sydney, 16th September.

ORIENTAL BANK CORPORATION.—(Incorporated by Royal Charter.)
Paid-up capital £1,260,000
Reserve fund 252,000
Interest will be allowed on fixed deposits, lodged after date, as under, viz.:—

	Per Annum.
Subject to 7 days' notice of withdrawal ...	2½ per cent.
Ditto 15 ditto	3 ditto
Ditto 3 months' ditto	4 ditto
Ditto 6 ditto ditto	5 ditto
Ditto 12 ditto ditto	5½ ditto

GEORGE K. INGELOW, Manager.

ENGLISH, SCOTTISH, AND AUSTRALIAN CHARTERED BANK.
(Incorporated by Royal Charter 1852.)
Paid-up capital £500,000
INTEREST ON DEPOSITS.

		Per Annum.
Repayable on	7 days' notice ...	2½ per cent.
Ditto	on 15 ditto ditto ...	3 ditto
Ditto	on 3 months' ditto ...	4 ditto
Ditto	on 6 ditto ditto ...	5 ditto
Ditto	on 12 ditto ditto ...	5½ ditto

JOHN YOUNG, Manager.

UNION BANK OF AUSTRALIA.—NOTICE is hereby given, that the Half-yearly DIVIDEND of 8 per cent. on the shares of this bank, declared at the General Meeting of the proprietors, held in London, on the 11th July last, with the addition of 5d. in the £ in lieu of the income tax, will be payable to the colonial shareholders on and after TUESDAY, the 27th September next. For the inspector,
C. ROBERTSON, manager.
Sydney, 22nd September.

TO THE INHABITANTS OF PORT MACQUARIE and the Residents in the surrounding districts.—I beg to apprise you that I have lately made such arrangements that enable me, with every facility, to supply goods suitable for town and country, and am prepared to execute orders of every description in drapery, grocery, ironmongery, and all other articles required in a complete and well regulated general store.
I have just succeeded in purchasing the stock of the late Mr. Coates, chemist and druggist, which will be carried on under the superintendence of an efficient assistant in conjunction with my other business.
Finding the premises I have hitherto occupied not sufficiently commodious for my increased stock, I have secured those adjoining (late Mr. Coates'), and, by extensive alterations and improvements, have connected both together.
I trust, therefore, that by having thus consulted the convenience of my constituents, I will prevent the necessity of their sending to Sydney for many articles that I will be able to supply in my new warerooms.
Soliciting a continuance of that patronage you have hitherto so very liberally bestowed upon me, and for which I take this opportunity of returning you my most sincere thanks.
J. B. HOARE.
Port Macquarie, September 8th.

TO SQUATTERS and others sending Stock to Victoria.—CHARLES BROWN, Stock and Commission Agent, 33, Bourke-street West, Melbourne, begs to inform squatters and dealers in stock that he has established a branch of his business at Deniliquin, Edward River, New South Wales, which will be conducted in the name of CHARLES BROWN and CO., under the management of Mr. CHARLES FARRAN. Advances made on stock consigned for sale.

NO MORE MEDICINE.—Health restored, without medicine, inconvenience, or expense, to the most enfeebled or shattered constitution, by DU BARRY'S delicious REVALENTA ARABICA FOOD.
Cure No. 18,216: Dr. Andrew Ure, of constipation, dyspepsia, nervous irritability.—Cure No. 34,210: Dr. Shorland, of dropsy and debility.—Cure No. 36,212; Captain Allan, of epileptic fits.—Cure No. 42,116; Major Edie, of enlargement of the liver, and total prostration of strength.—Cure No. 36,418: Rev. Dr. Minster, of cramps, spasms, and daily vomitings.
Especially prepared in tin cannisters, 1 lb., 3s. 3d.; 2 lb., 5s. 6d.; 5 lb., 13s. 6d.; 12 lb., 27s.
PARROT, BROTHERS, 12, Hunter-street, sole wholesale agents for the Australian colonies; Smith, Peate, and Co., 113, George-street; G. Heath, 334, George-street; M. M'Mahon, 410, George-street; S. Bennett and Co., 482, George-street; T. Barlow, 756, George-street; W. T. Pinhey, 259, Pitt-street; Redford and Burrell, 219, Pitt-street.

LEA and PERRIN'S celebrated WORCESTERSHIRE SAUCE, pronounced by connoisseurs to be the only good Sauce, and applicable to every variety of dish. Extract of a letter from a medical gentleman at Madras, to his brother at Worcester, May, 1851. "Tell Lea and Perrin, that their sauce is highly esteemed in India, and is, in my opinion, the most palatable as well as the most wholesome sauce that is made."
EXTENSIVE FRAUDS.
L. and P. having discovered that several of the foreign markets have been supplied with spurious imitations of their Worcestershire Sauce, the labels of which closely resemble those of the genuine sauce, and in one or more instances with the names of L. and P. forged, they have deemed it their duty to caution the public, and to request purchasers to see that the names of Lea and Perrin are upon the wrapper, label, stopper, and bottle.
L. and P. further give notice that they will proceed against any one who may infringe upon their right, either by manufacturing or vending such imitations, and have instructed their correspondents in the various parts of the world to advise them of such infringements.
Wholesale and for exportation by the proprietors, LEA and PERRIN, Worcester, England; CROSSE and BLACKWELL, and other oilmen and merchants, London.

GOOD BLACK TEA, 2s. per lb. Best black tea, as usually sold 2s. 6d. per lb.
S. BENNETT and CO., stimulated by the great success they have met with in introducing to the inhabitants of Sydney and New South Wales generally of a superior class of tea to any hitherto imported here (as evidenced in the unprecedented sale and increasing demand for the really fine tea imported by them per Atalanta), have been induced to write to their friends in London to ship, at once, some of the best and choicest teas imported into England during the past season, and they have now the pleasure of announcing that the first shipment has arrived, which fully sustains the character of the fine congous that are so universally admired in the mother country. S. B. and Co. feel satisfied that one trial, which they respectfully solicit, must convince the most sceptical that they can procure a really fine quality tea in Sydney, only at S. BENNETT and CO.'S, 482, George-street, opposite the Markets.

BEST BLACK TEA IN SYDNEY.—HANKS and COMPANY have just received, via Melbourne, a parcel of the finest black leaf pekoe, decidedly the finest specimen of black tea imported this season. Its remarkable characteristic is immense strength, with a delicious pungent flavour. To secure this article, we have been at much trouble, and paid a high figure, our object being to possess that which no other house can surpass. We therefore unhesitatingly assert that we are vending the finest black tea in Sydney.
Australian Tea Mart, opposite the Market; HANKS and COMPANY, proprietors.

HANKS and COMPANY are selling a superior parcel of fresh herrings in tins, at 1s. each; also, lobsters, at 1s. per tin, a delicious treat. No family should be without one or the other on their breakfast, tea, and supper tables.

TO STOREKEEPERS, DEALERS, COUNTRY BUYERS, &c.
IMMENSE BARGAINS
to be made at the great
CLEARING-OUT SALE at
GEORGE CHISHOLM and CO.'S,
before Removal to their New Premises, in George-street, next the Post Office.
Storekeepers, Dealers, Country Buyers, Hotelkeepers, Heads of Families, and anxious Bachelors, desirous of commencing housekeeping, are all invited to favour GEORGE CHISHOLM and CO. with an early call, and take advantage of this remarkably
CHEAP SALE of FIRST-CLASS DRAPERY,
to commence on
MONDAY, the 26th September.
N.B.—The premises closed on Friday and Saturday next, for the purpose of reducing the prices.

CHIMNEY PIECES in Sicilian, vein, and statuary marbles, and richly enamelled slate.—Architects, builders, decorators, and parties finishing their dwellings, are respectfully invited to view the varied assortment now set up at the Show Rooms of the undersigned.
The marble chimney pieces are:—
Sicilian
Vein
Dove, and
Statuary, of various sizes and designs.
The Enamelled Slate Chimney Pieces are of the most beautiful and novel designs; various openings and styles suitable for every description of dwelling, from the ornée to the mansion.
Splendid imitations of the most rare and costly marbles, malachite, granites, &c.; and, as works of art, rivalling the finest specimens of the originals in brilliancy.
The imitations are of
Sienna
Rouge royal
Brocadilla
Lumachelle
St. Ann's
Egyptian green
Black and gold
Malachite, porphyry, and granites of various colours.
These will be sold at unprecedentedly low prices.
W. W. BUCKLAND, Warehouse, No. 2, Macquarie-place.

DOULTON'S PATENT VITRIFIED STONE DRAIN PIPES.—W. W. BUCKLAND, as sole agent in Sydney for Messrs. Doulton and Co., the original importers and patentees of the Vitrified Stoneware, now adopted in every city and town of the British empire, begs to inform the public that their pipes can only be procured on application at his stores. And would also respectfully intimate that he is prepared to tender for supplies of any quantity, with all the necessary bends, junctions, syphons, &c., at prices setting aside competition, and will deliver to specified time.
The inferiority of the substitutes for English pipes is, to practical men, too well known to require comment, and will only be laid down where utility is of no consideration.
Parties about to accept tenders for drainage of house property will do well to specify for the use of Doulton's pipes.
City Drain and Water Pipe Depot, No. 2, Macquarie-place.

VINEGROWERS COMPANY'S BRANDY, ex Ferdinand Brumm, in hogsheads and cases. MACKINTOSH, HIRST, and Co., 13, Macquarie-place.

ROBERT YOUNGER'S ALE, in hogsheads, ex Forest Queen, and other late arrivals. MACKINTOSH, HIRST, and CO., 13, Macquarie place.

TO SETTLERS and STOREKEEPERS.—The undersigned have constantly on HAND—
Woolpacks, 10 to 10½ lb.; woolbagging, all widths
Bags, sewing twine, fine and coarse
Sheepshears, Sorby's and Wilkinson's
Sugars, rice, tea, flour, and tobacco
Mole trousers, Scotch twill shirts
Wines and spirits, &c.
And every article requisite on a station.
JAMES MORT and CO., 175, Pitt-street.

J. G. WALLER and CO., of Wynyard-square, have now on SALE, some magnificent samples of Champagne, both in pints and quarts; also, sparkling Hock, sparkling Moselle and Claret, which they can strongly recommend.

PICTON.—Just opened, the Railway Store, opposite the Railway Pay Office, Elizabeth-street, with goods of all useful description, which will be sold wholesale and retail, at moderate prices.

CHICAGO CORN FOOD, a light and nutritious diet for infants and invalids, and is peculiarly adapted for making blanc mange, jelly, custards, cakes, &c. Sold by HANKS and CO., George-street.

L. AND S. SPYER and CO. have on SALE—
Port wine, in quarter-casks
Central Vineyard Company's dark brandy
Byass and Worthington's bottled ale and porter
Hill and Ledger's bottled fruits, table vinegar
Sardines, mustard, sauces, candle cotton
Sulphur, flour and roll; bluestone
Glue, putty, white lead, dry colours
Boiled and raw linseed oil, in five-gallon drums
Curled horsehair, chair webbing, twines
Fifth-quart tumblers, window glass all sizes
Fishhooks, spikenails 5 and 6 inch
Sodawater corks and bottles
Best Oxford candlewicks, in small balls
Louis Braum's fine French felt hats.
Wynyard-square.

ASHDOWN AND CO., ironmongers and General Commission Agents, have on SALE a large assortment of Electro-platedware of new and elegant designs, comprising—
Tea and coffee services
Urns and swing kettles
Trays, waiters, and cake baskets
Candelabra and branch candlesticks
Cruet, egg, and liqueur frames
Dinner, dessert, and fruit knives
Table and dessert forks and spoons
Ditto ditto tea and egg spoons, &c.
Also,
Drawing and dining-room chandeliers, of various designs
Hall and bracket lamps, various designs, fitted for gas, oil, or candles
And a large stock of general and furnishing ironmongery.

ON SALE by the undersigned.—
Brandy, pale, in quarter-casks
Ditto, ditto, in 1 dozen cases
B. P. rum
Claret, Chateau Loroze
Truman's XX stout
Three-bushel bags
French burr millstones, 3 feet and 3 feet 6 in.
Cart harness
Basils, sole leather
Kip, kangaroo skins
Watertights
Books, assorted invoices
Church services
Parchment
Woollashing
Perfumery, assorted invoices
Brown Windsor soap.
BUYERS AND LEARMONTH, Charlotte-place.

JUST RECEIVED, per Blue Jacket, and FOR SALE.—
Wood's patent boiler felt, No. 1 and 2
Roundway stop, bib and racking cocks, &c.
Brass wire and vacuum gauges
Patent packing, ⅛, ¼, ⅜, ½, and ⅝ inch
Padlocks, iron and brass, chest, cupboard, and rim locks
Cut jacks, wrought brads, tinmen's snips and shears
Union brush wire, paint brushes, sash tools, and hair brooms
Fine wrought clasp nails, assorted
Emery cloth, assorted.
P. N. RUSSELL and CO., Sydney Foundry.

FOR SALE, a powerful double-purchase WINCH, with long chain, pulley, &c., complete. EDWARD SALAMON, Margaret-street.

HOBART TOWN JAMS, per ton or case; raspberry, currant, &c. FERRIS and SON, Pitt-street.

TABLE POTATOES, finest Hobart Town, per bag or ton. Nothing like them in Sydney. FERRIS and SON, Pitt-street.

ONIONS, per Tasmania, on SALE, at the Stores of WILLIAM SHORT, Victoria Wharf.

TO BOOT and SHOE MAKERS.—FOR SALE, the FIXTURES and GOODWILL of the Beehive Boot and Shoe Warehouse, 111, South Head Road. Apply to J. M. ILLIDGE, jun., 111, South Head Road.

FOR SALE, by the Undersigned—Flour of a superior description, in bags of 200 lbs. each, received from W. Bradley, Esq.'s, mill, Goulburn.
FLOWER, SALTING, and CO., agents.

RUINART'S CHAMPAGNE.—Now landing, ex Naomi, and for SALE by the undersigned—
50 cases, quarts and pints, of this celebrated wine, in splendid condition.
FLOWER, SALTING, and CO.

CIRCULAR QUAY SAW MILLS and Timber Yard.—To Architects, Contractors, Builders, Coachmakers, Cabinetmakers, Wheelwrights, &c.—A large and varied assortment of foreign and colonial TIMBER, doors, sashes, architraves, mouldings, shingles, laths, battens, and palings; French doors, blinds, &c. W. H. ROLFE.

30,000 FEET 1-inch G. and T. PITCH PINE, very cheap
35,000 feet 1½-inch G. and T. pitch pine
150,000 feet, 2, 1½, 1¼, 1, ¾, and ½ inch clear pine
75,000 feet 1-inch G. and T. spruce and white pine
90,000 feet, ½, ¾, 1, and 1¼ G. and T. Baltic
25,000 feet dressed and rough weatherboards
Baltic red deals of best quality, 9 and 11 inch
Kauri boat boards and deck planks cut to order
50,000 feet cedar boards, assorted sizes
Cedar turnery, mouldings, architraves, rolls, &c.
100,000 feet Baltic and Oregon deals, various sizes
Baltic, Oregon, Kauri, and colonial pine logs
2,000 doors and glazed windows, at reduced rates.
J. H. GOODLET and CO., Victoria Saw and Moulding Mills, Erskine-street, and 7, Parramatta-street.

TURNERY of all sorts and sizes made to order GOODLET and CO., 14, Erskine-street.

TURNERY of every description and design. W. FAIRFAX and SON, Bathurst-street, opposite the new Cathedral.

BOXES.—TO SOAP and CANDLE MAKERS, Wine Merchants, Cordial Manufacturers, and Exporters.—A large stock of every size always on hand, at reduced rates. W. FAIRFAX and SON, Branch Timber Yard, Bathurst-street, opposite the new Cathedral.

TIMBER.—An assortment of foreign and colonial, rough and dressed timber; also, shingles, laths, palings, posts and rails, skirtings, mouldings, architraves, ridge rolls, doors, sashes, sash doors, French lights, &c. N.B.—Wholesale and retail. H. MOON, Walker's Wharf, Fort-street; or Steam Saw-Mills, Liverpool-street West.

CEDAR BOARDS, in quantities for shipment or up-country. H. MOON, Walker's Wharf, Fort-street.

MORPETH STEAM COALS, at 21s. per ton, to parties sending their own carts. H. MOON, Saw-Mills, Liverpool-street.

STEAM SAW-MILLS.—Moulding mills, T. and G. machine, vertical frame, saw tables, grist mill, smut machine, corn and cob crusher, with belting, shafting, pulleys, forges, tools, and all the necessary paraphernalia in complete working order, and now in full operation, at Walker's Wharf, Fort-street. Apply to H. MOON, on the premises.

CASE FACTORY.—Soap and Candle Boxes, &c. H. MOON, Walker's Wharf, Fort-street.

WOODEN HOUSES, and Stores and Manufactures, in wood generally. H. MOON, Walker's Wharf, Fort-street.

WHITTELL'S WEIGH-BRIDGE.—The undersigned has, at considerable expense, imported a Weigh-bridge, through the house of Messrs. Baines, of George-street, for the purpose of weighing coals, colonial produce, &c., &c. Also, will weigh goods of any description, to the extent of four tons each time, at the rate of 1s. per load.
Observe, the allowance now made to the extent of two shillings per ton of COALS or load of WOOD, cash on delivery.
N.B.—The object is thus to do away with the cost of collection, &c.
Please refer to the list of prices below:—
£1 16s. per ton for the best screened Newcastle coals
£1 12s. per ton for the best household coals, recommended
£1 8s. per ton for second quality, very good
19s. blacksmiths', through a large screen
21s. bakers' billet wood, 70 to the load
£1 per load for the best ironbark, in billets, junks, or cut
18s. ditto, for second quality of wood
Charcoal, coke, and breeze, equally cheap.
WHITTELL'S Fuel Sheds, Bathurst-street West.

COAL, COAL, COAL, and every description of Fuel, of best quality and lowest prices, may be obtained at SHOOBERT'S Wharf, Sussex-street, near Market-street.

CEDAR.—For SALE, two cargoes of prime cedar.—JAMES COX and CO., Baltic Wharf.

TO BUTCHERS.—For SALE, Fixtures, Fittings, Tools of Trade, and Goodwill of a BUTCHER'S Establishment doing a good business. For full particulars apply to THOMAS OGLEY, King and Elizabeth streets.

NATURAL HISTORY.—For SALE, a few choice collections of Australian Birds, &c., from the north-east coast; scientifically arranged, well-preserved, and ready packed for any part of the world. Apply WILLIAM BALDOCK, 6, Union-street.

TANQUERAY'S GIN, ex Centurion, in 1 dozen cases. MACKINTOSH, HIRST, and CO., 13, Macquarie-place.

POTATOES for SALE, on reasonable terms. R. T. FORD, Circular Quay.

PHOTOGRAPHIC BUSINESS for SALE, in a central situation in Sydney, consisting of three rooms, with water laid on in the rooms, large skylight, and every convenience for working. Lease at one pound per week. Also, camera, stand, backgrounds, show-cases, chairs, tables, curtains, collection of photographic pictures, stock of negatives, &c. Instruction in positive and negative processes can also be obtained. Apply to G. F. BAKER, Hunter-street.

PORTRAITURE.—Crayon Coloured Collodiotypes Portraits on Paper, Stereoscopic Portraits, &c., &c., singly or in groups, taken daily, in any weather, at Messrs. FREEMAN, BROTHERS' New Gallery. Views of Sydney and its neighbourhood on hand, or taken especially to order, on moderate terms. A large assortment of Cameras, Lenses, Chemicals, and Photographic Material on SALE. Instructions given in the art. 392, George-street. FREEMAN BROTHERS.

NOTICE.—SELLING OFF, SELLING OFF SELLING OFF.
GREAT CLEARING-OUT SALE.
For the purpose of giving the greatest publicity possible to the EXTRAORDINARY BARGAINS to be made at GEORGE CHISHOLM and CO.'S during the first time of their stock being offered to the public at such VERY LOW and UNRESERVED PRICES.
Their shop and stores, in which they have carried on their business of WHOLESALE and RETAIL DRAPERS for the last TWENTY-FIVE YEARS, will be closed on FRIDAY and SATURDAY next, for the purpose of REDUCING and RE-MARKING the whole of their stock of
Drapery Summer Dresses
Fancy Department
Ladies' Underclothing
Baby Linen, Hosiery
Silks, Shawls, Mantles, Polkas
Ready-made Clothing, Cloths
Carpets and Furnishing Articles.
And will re-open on MONDAY MORNING, being the first day of their
GREAT CLEARING-OUT SALE,
To SELL OFF, SELL OFF, SELL OFF the whole of their immense STOCK, previously to removing to those LARGE and CAPACIOUS PREMISES in GEORGE-STREET, NEXT POST OFFICE.

MESSRS. THOMPSON, SYMONDS, and CO. have just opened their summer shipments of the following choice goods for gentlemen's wear.
HATS.—Drab merino, shell, and mohair
Black Paris nap, extra light.
HOSIERY.—Gauze cotton half-hose
Lisle thread
Balbriggan
Spun silk.
SHIRTS and PANTS.—Anglo-Indian gauze
Extra gauze merino
Lisle thread
Taffeta and spun silk
Choice crimean shirts, in silk and wool
Silk warp ditto (quite new).
GLOVES.—Josephine kid
Transverse union
Wellington cuffed ditto
Ditto tan forchettes
Cambridge and oxford ditto.
TIES.—The new don tie, in every color
Netted ditto
Eton, eglington, and oxford.
Sun umbrellas, in various textures.

JUST OPENED, by THOMPSON, SYMONDS, and CO., a lot of
PINA DRESSES,
which have been purchased very cheap, and are now offered in the Silk Rooms, Barrack-street, at
ONE GUINEA THE DRESS,
a decided bargain.
Also,
A lot of BLACK SILKS, purchased cheap, 2s. 7½d., 2s. 9½d., 2s. 10½d., 2s. 11½d., 3s. 3d. per yard.
Excellent value, and good black.

REAL PANAMA HATS.—The finest in the colony, price, 20s. to 30s, at JAMES THOMSON'S, hatter, King-street.

EVERY description of Ladies' Bonnets and Hats artificial flowers, feathers, and millinery; also men's panama, cabbagetree, felt, and other hats, in quantities to suit the trade. GREGORY, CUBITT, and CO., manufacturers and importers, Wynyard-street, Sydney, and 15, Aldermanbury, London.

NEW BONNETS.—WALTHAM RUSH has received 3 cases of elegant Bonnets, consisting of fancy straws, horsehair, and crinoline; new shapes. A young Lady (lately from England) is engaged to superintend this department; ladies may therefore rely on having the latest fashions. WALTHAM RUSH, 235, Pitt-street.

NEW DRAPERY GOODS.—WALTHAM RUSH has just received 123 cases of new goods. Intending purchasers of drapery will find this stock the best assorted and cheapest in Sydney. Country buyers will save 15 per cent. by making their purchases at this establishment. Note the address, WALTHAM RUSH, 235, Pitt-street.

SHIRTS, OUTFITS, &c.—M. A. HUGHES' Unique shirts fit perfectly, are moderate in price, and unsurpassed in quality. Youths' shirts in all sizes. Orders promptly executed. New Buildings, 94, Market-street East.

COLONIAL TWEED.—
Colonial plain tweed
Ditto shepherds and 42nd plaids
Ditto heather mixture, doe and tweed
Ditto Bedford cord, &c.
Are manufactured from first-class wool by M. M. CAMPBELL, late Thomas Barker and Co., Sussex-street, Sydney.

CALEDONIAN MEETING, MELBOURNE.—For SALE, a plain undress HIGHLAND SUIT, of finest Shepherds' Plaid, quite new, lately from Inverness; sporran, skene-dhu, grey balmoral bonnet and hose—£12 12s. Apply to A. H. SHORT, tailor, 40, Park-street.

GREAVES, GREAVES, GREAVES.—Good feed for pigs, dogs, or fowls. A quantity on hand at reduced prices by MICHAEL MELLY, Parramatta street.

ROSEWOOD Cottage PIANOFORTE for SALE, in good condition, cheap. 260, Clarence-st. South.

WANTED to PURCHASE, for cash, the good-will and License of a respectable Public-house or Hotel. Send particulars addressed to S. C. C., care of Mr. ASHLIN, commission agent, 139, Pitt-street, opposite Union Bank.

WANTED, to purchase, in the suburbs, a COTTAGE, containing six rooms, kitchen, servants' room, &c. Apply by letter, stating terms and particulars, to M. D. L., HERALD Office.

WANTED, to Purchase, secondhand pair of Tinware Rollers. T. CRAMPTON, Mitchell-street, Glebe Road.

WANTED, CUSTOMERS for superior Pale SHERRY, 25s per dozen; very best ditto, 30s. excellent Port, 30s.; Byass' Stout, 10s.; Byass' Pale Ale, 10s. 6d., quality guaranteed, delivered free in Sydney. G. GRIFFITHS, 7, Jamison-street.

WANTED, Cash PURCHASERS for Feast's Bottled FRUITS, in 2 dozen cases, 12s. 6d. per dozen; Volckman's JAMS, 13s. 6d. 7, Jamison-street.

FOR SALE, or to LET, ONCLIFFE HOUSE, South Head. Apply ANDREW ALLEN, auctioneer, 88, King-street.

TO SELL, a stone COTTAGE, with five rooms, water and on easy terms. For particulars apply 74, Yurong-street.

HUNTER'S HILL.—For SALE, a HOUSE delightfully situated on the Parramatta River, within a few minutes' row of the steamers' wharf, containing eight rooms, detached kitchen, servants' room, and cellars; with nearly four acres of land, comprising orangery, orchard, and garden. Price, £1200. Address W. BAGOT, Hunter's Hill.

TO BUILDING MECHANICS and WORKING MEN.—Allotments of LAND for SALE, on LONG CREDIT, or in exchange for labour. To respectable persons wishing to build at once, assistance will be given to the extent of one-half of their outlay. For particulars apply to Mr. LUCAS, Burwood Railway Station.

STORE SHEEP.—For SALE, on Darling Downs, 12,000 store wethers. STORE CATTLE.—500 cows and 500 bullocks, a prime lot, deliverable on the M'Intyre. BEIT and MACDONALD, 6, Wynyard-street.

EWES.—Wanted, 7000 maidens, at Darling Downs, and 5000 breeding ewes, three to four years, at or near Wee Waa. BEIT and MACDONALD, 6, Wynyard-street.

STORE STOCK, for SALE by the undersigned—
14,000 sheep, mixed, on Maneroo
5000 ditto ditto, at Moreton Bay
1000 superior bred female cattle, on the Richmond
4000 ditto, mixed, Castlereagh River.
THOMAS DAWSON, 433, George-street, Sydney.

A FIRST-CLASS INVESTMENT.—For SALE, in Queensland, a STATION, with about 700 head of cattle.
The run consists of 96 acres of purchased land of excellent quality, a portion of which is fenced in and divided into paddocks; together with 50 sections of good country rented from the Crown under annual lease, and situated about midway between Brisbane and Ipswich, both good markets for all kinds of dairy produce.
The run is abundantly supplied with water.
In addition to the above is a good, comfortable, shingled cottage, with out-houses, together with milking yards and a good dairy.
A large proportion of the herd are milking cows, and being entirely dairy cattle are extremely quiet, the character and quality of which have been and are constantly being improved by the introduction of first-class bulls.
Dairy utensils, drays, horses, and working cattle, sufficient for all purposes, to be given in.
For further particulars apply to RAYMOND and CO., Sydney; or BUCKLEY and HASSEL, Ipswich, Queensland.

FOR SALE, by the undersigned, several first-class unstocked Fattening RUNS, in the Port Curtis, Leichhardt, Wide Bay, New England, Lower Darling, Lachlan, and Liverpool Plains districts. RAYMOND and CO., Lyons-buildings, George-street.

FOR SALE, by the UNDERSIGNED.—A first-rate CATTLE STATION, in the Burnett district, with 1000 head mixed cattle.
RAYMOND and CO., Lyons-buildings, George-street.

£30,000 TO LEND, sums of £20 to £50 interest low. Address as under.
R. FORBES, 170, Pitt-street, Sydney, Agent for Loans, Sale and Purchase of Cattle, Sheep, Stations, and Horses.
STORE CATTLE for SALE in all districts, choice lots.
STORE SHEEP for SALE in all districts, free from disease.
PORT PHILLIP Buyers of Stock, call on R. Forbes, 170, Pitt-street.
RAMS for SALE, very choice and heavy, best in the colony
MELBOURNE Buyers of Stock, call as under, every despatch.
FAT SHEEP—3d. to 6d. per head market prices.
FAT CATTLE—1s. to 2s. 6d. per 100 lbs. obtained above market prices.
£16,000 to LEND on Stations, and on Stock and Station.
FAT CATTLE and SHEEP—all Sales paid for in cash.
STATIONS FOR SALE—One very choice, 30 miles frontage, 30,000 Sheep, nearly all breeding ewes, on the River Darling.
STATIONS FOR SALE—New well-watered Runs, East and West Bogan.
STORE CATTLE—Wanted to buy 3000, sexes, half and hal.
STORE BULLOCKS—Wanted to buy 1500 to 2000 head.
STORE SHEEP—55,000 wanted to buy, to northward.
EWES—Wanted, several thousand, before or after shearing, 3 to 5 years, for Stations on Liverpool Plains.
STORE CATTLE—Fine herds for SALE on the Namoi.
DARLING DOWNS—Store Sheep wanted to purchase from this district.
BRISBANE and IPSWICH, MORETON BAY—Wanted, 50,000 to 60,000 store wethers, delivery taken in February or March, age 3 years to full mouthed; also 5000 Maiden Ewes.
COWS—Springers—100 to 150 for SALE, in lots to suit purchasers, very quiet, in Campbelltown district.
HEIFERS—Wanted to purchase, half gone in calf, 150, 200, delivered at Penrith in all October.
R. FORBES, Agent for Purchase and Sale of Stock and Stations, 170, Pitt-street, Sydney.

DARLING DOWNS.—Wanted, to Purchase a SHEEP STATION, to northward of Sydney, with large capacity. As stocked at present, of no consequence. R. FORBES, 170, Pitt-street.

STATIONS.—Bogan East and West, wanted to BUY or SELL. R. FORBES, 170, Pitt-street.

TO GRAZIERS and others.—R. FORBES has contracts signed to buy 20,000 head of store cattle within two months.

SALES BY AUCTION.

Martyns Horse and Carriage Bazaar, 246, Pitt-street.

MR. CHARLES MARTYN holds a regular SALE BY AUCTION every TUESDAY, THURSDAY, and SATURDAY, at 11 o'clock precisely.
All parties sending horses or other stock, carriages, &c. are requested to forward written instructions previous to sale, stating brands, age, qualification, &c., and amount of reserve, otherwise a sale will be effected to the highest bidder.
N.B.—No responsibility whatever incurred by accident in trying or breaking-in horses.

Horse, Dogcart, and Harness.

MR. CHARLES MARTYN has received instructions to sell by auction, at the Bazaar, 246, Pitt-street, THIS DAY, at 11 o'clock,
A fine upstanding bay cob, 5 years old, about 15 hands high
A very strong English-built dogcart
And a set of capital harness, with covered buckles, &c.
The above is an excellent turn-out for a journey or town use, and is parted with on account of the present owner not requiring it any longer.

TUESDAY'S General Sale.

MR. CHARLES MARTYN will sell by auction, at the Bazaar, 246, Pitt-street, THIS DAY, at 11 o'clock,
The usual variety of saddle and harness horses
A horse, dogcart, and harness
A covered spring-cart
Carriages, gigs, dogcarts, spring-carts, drays
Trucks, harness, saddlery, &c.

To Breeders of Thoroughbred Stock.

MR. CHARLES MARTYN has received instructions from Mr. Hugh M'Gowan to sell by auction, at the Bazaar, on TUESDAY, 11th October, at 12 o'clock,
MIRZA, a bay mare (bred by Mr. M'Gowan), foaled in 1846, by Harry Lorrequer, out of Jessy, the dam of Sportsman, Sampson, and others; in foal to Cossack.—Vide Stud Book, page 32.
SPILETTA, a bay mare (bred by Mr. M'Gowan), foaled in 1852, by Lawson's Emigrant (imported), out of Mirza; in foal to Vanguard.
"Mirza" and "Spiletta" are considered to be as good mares as are to be found in the colony; and are parted with solely on account of Mr. M'Gowan's determination to sell out all his thoroughbred stock.
"Cossack," "Vanguard," "Sportsman," and "Sampson," are well-known horses on the New South Wales turf.
On view at the Bazaar a few days prior to the day of sale.

To Breeders of Sheep.
First-class Rams, consisting of South Downs and pure Merino, selected from the first flocks in England, expressly as regards the carcase.
Daily expected from England, ex Vimeira.

MR. C. MARTYN has received instructions from J. B. Rundle, Esq., to offer for public competition, on THURSDAY, October 13th, at 12 o'clock,
A remarkably fine selection of rams, procured from the best sheep countries in England.
The great scarcity of good sheep that at present exists in Sydney proves that it is essential for breeders to turn their attention to obtaining an improvement in the carcase more than they have hitherto done; it having been a universal complaint on the part of the Sydney butchers that the sheep of this colony are degenerating in weight every year.
The above rams are being imported for the express purpose of increasing the carcase without very materially altering the staple.

Just arrived Horses.
Sale TO-DAY.

MR. S. WOOLLER has received instructions from a gentleman to sell by auction, at his New Horse Repository, Pitt-street, THIS DAY, at 11 o'clock sharp,
One pair of handsome chesnut geldings, 5 years old, 16 hands high, excellent in carriage, gig, or saddle; to be sold together or separate. No vice.
18 first-class horses, just arrived from the country, in good condition, and well broken-in to saddle, gig, or cart, all subject to trials.
One excellent town cob, good in gig or saddle; stands without being tied up. No vice.
One horse, cart, and harness, complete; spring carts, gigs, light carts, box drays, saddle and harness, &c.
Terms at sale.

On the Premises, 285, Elizabeth-street.
Household Furniture and Effects.

ALEXANDER MOORE and CO. have received instructions to sell by auction, on the premises, 285, Elizabeth-street, between Bathurst and Liverpool streets, on WEDNESDAY, 28th instant, at 11 o'clock,
The whole of the furniture, &c.—viz.,
Horsehair sofa and chairs
Sideboard and chests drawers
Cheffoniers and chimney glass
Carpets, rugs, fenders, &c.
Iron bedsteads, palliasses, and bedding
Washstands and toilet glasses
Lamps, china and plated ware, clocks, &c.
Kitchen furniture and utensils
Together with other sundries, too numerous to particularise.
Terms at sale.

Postponed till THURSDAY and FRIDAY, owing to the Goods not having been Landed.

Preliminary Notice.
Important Sale of New Drapery, &c.

THURSDAY and FRIDAY, September 29 and 30.

To Shippers, Warehousemen, Drapers, Hatters, and others.

MR. CHARLES TEAKLE will sell by auction, at his new Rooms, Wynyard-street, on THURSDAY and FRIDAY, September 29th and 30th, commencing each day at 11 o'clock,
A large and varied shipment of new and seasonable draperies, superior ready-made clothing, hats, &c., &c.
Now landing, ex John Banks and Damascus.
Particulars in future advertisements.

HORSE BAZAAR, Pitt and Castlereagh streets, Sydney
Established 1847.
BURT and CO. hold a regular sale by auction every day at 11 o'clock.
Horses intended for sale should arrive at the Bazaar, accompanied by instructions, one day previous, in order to be properly dressed, tried, and shown.
The usual cash advances on invoices of saddlery, gigs, carriages, and other vehicles intended for unreserved sale, for which there is ample room under cover.
The private livery stables adjoin the Castlereagh-street entrance, and are wholly distinct from the sale stables.

THIS DAY'S Horse Sale.

BURT and CO. will sell by auction, at their Bazaar, Pitt and Castlereagh streets, THIS DAY, Tuesday, at 11 o'clock,
25 horses, consisting of heavy draught, light harness, hackneys, &c.
Dogcarts, gigs, trucks, drays, &c.

Iron and Brass Bedsteads.

To Storekeepers, Upholsterers, Furniture Buyers, and others.
45 Packages of Bedsteads.
Just Landed.
For Positive Sale.

JOHN G. COHEN has received instructions to sell, at the Bank Auction Rooms, at 11 o'clock prompt, THIS DAY, September 27, 1859,
45 packages of bedsteads, viz.,
Brass tent bedsteads, 6 ft. 6 x 4 ft. 6
Ditto four-post ditto
Iron bedsteads, green, blue, and cane, 6 ft. x 2 ft. 6, on castors
Iron tube bedsteads, 6 ft. 6 x 3 ft. 6, 6 ft. 6 x 4 ft. 6, emerald, green, maple, cane, &c.
Ditto four-post ditto
Ditto tent ditto
Ditto folding bedsteads, japanned, blue, green, &c., 6 ft. x 2 ft. 6
Ditto stump bedsteads, ditto green, cane, &c., 6 ft. x 3 ft., 6 ft. 6 x 3 ft. 6, 6 ft. 6 x 4 ft. 6
Ditto French ditto, ditto blue, cane, &c., 6 ft. 6 x 3 ft., 6 ft. 6 x 3 ft. 6
Ditto half-tester, ditto ditto green, cane, blue, &c., 6 ft. 6 x 3 ft. 6, 6 ft. 6 x 4 ft. 6, 6 ft. x 4 ft. 6, 6 ft. 6 x 3 ft. 6
Ditto table ditto, bamboo, emerald green, &c., ft. 6 x 4 ft. 6
Ditto tube bedsteads, japanned, mahogany, 6 ft. 6 x 5 ft.
Ditto ditto, japanned, blue, and black, posts gold and flowers, 6 ft. 4 x 4 ft. 6
Ditto bedsteads, tent-roofs, brass balls, castors, japanned, black, blue, cane, and mahogany, 6 ft. 6 x 3 ft. 6
Ditto ditto ditto, 6 ft. 6 x 4 ft. 6.
CHILDREN'S CRIBS.
Child's crib, blue, black, and cane, 4 ft. 6 x 2 ft. 3
Ditto ditto, 5 ft. x 3.
Terms at sale.

☞ Elegant Marble Toilet Tables
Ditto Washstands
Handsome Black and Gold Marble Slabs
Ditto Brocatella Marble ditto.
Highly Important to Marble Masons, Furniture Buyers, and others.

JOHN G. COHEN has received instructions to sell at the Bank Auction Rooms, THIS DAY, September 27, 1859, at 11 o'clock prompt,
A small invoice of handsome marble toilet tables
Ditto washstands
Black and gold marble slabs
Brocatella ditto.
Will be on view at the Rooms in a few days.
Terms at sale.

☞ Very Handsome Mantelpieces.
Very Important to Architects, Builders, Contractors, Marble Masons, Parties building, and others.
Just landed, in excellent condition.
Intending purchasers are respectfully informed that the Mantelpieces are on view at the Rooms of the auctioneer.
Positively without reserve.

JOHN G. COHEN has received instructions to sell, at the Bank Auction Rooms, THIS DAY, September 27th, 1859, at 11 o'clock prompt,
A small invoice, containing
25 very handsome mantelpieces.
Buyers are particularly requested to be in attendance at the time named, and they are assured all of them will be positively sold to the highest bidder.
Terms at sale.

Damaged Baskets.

To Basket Makers, Dealers, Storekeepers, and others.

JOHN G. COHEN will sell, at the Bank Auction Rooms, on WEDNESDAY next, September 28, 1859, at 11 o'clock prompt,
On account of whom it may concern, ex Klawitter, Nohlsson, master, from London,
Much damaged by sea water,
L. S. D. in oblong over B, § 3, 4
Two bales of assorted basketware, comprising square market, oval ditto, bassinettes, baby linen, swing handle, rattles, plate baskets, &c., &c.
Terms, cash.

Damaged Byass' Ale and Porter.
193 cases.
Important to Publicans, Wine and Spirit Merchants, Storekeepers and others.

JOHN G. COHEN will sell, at the Bank Auction Rooms, on WEDNESDAY, September 28th, 1859, at 11 o'clock prompt,
On account of whom it may concern.
Ex John Bright, Macquand, from London.
K in diamond—37 cases, each 4 dozen, Byass' porter
60 cases ditto ditto ale.
Ex Lord Raglan, Hardy, from London,
H in diamond—13 cases, each 4 dozen, Byass' porter
25 cases ditto ditto, ale.
Ex Ferdinand Brumm,
N in diamond—31 cases, each 4 dozen, Byass' porter
22 cases ditto ditto, ale.
Damaged by sea water.
Terms, cash.

NOTICE OF REMOVAL to the NEW AUCTION ROOMS, situated on the ground recently occupied by the old Treasury, George-street. CHATTO and HUGHES have the pleasure to inform their numerous friends and the public generally, that they will, during the present week, remove from the premises now occupied by them, and where they have carried on the business of auctioneers and agents for the last six years, to those newly-erected and commodious stores recently completed, on the site of the Old Treasury, in George-street, two doors north of Margaret-street, and from the very extended accommodation afforded by, and the central position of the TREASURY AUCTION ROOMS, CHATTO and HUGHES will be able to offer much greater facilities for properly conducting the business entrusted to them than they were able to do in the old premises. 400, George-street, 5th September.

FRIDAY, 30th September.

Final Clearing-out Sale.

CHATTO and HUGHES will sell by auction, at their Old Sale Rooms, 400, George-street, on FRIDAY, 30th September, at 11 o'clock,
A large quantity of sundries
Fixtures, &c., &c.
Terms, cash.

Important Unreserved Sale, proprietor leaving the colony, of Two substantial Stone and Brick Houses, in Palmer-street, Woolloomooloo, close to the Scotch Church, to be sold on the ground,

TUESDAY, October 4th, at 11.

Title unexceptionable.

G. F. BAKER has received instructions to sell by auction, on the premises, Palmer-street, five doors from the Scotch Church, on TUESDAY, October 4th, at 11 o'clock,
A well-situated and large allotment of land, having a frontage to Palmer-street of 30 feet, by a depth to a reserve lane 16 feet wide, 97 feet; also, a frontage to a lane, called Church-lane, 97 feet, on which is erected, with frontage to Palmer-street, a substantial three-roomed brick verandah cottage with convenient yard, gate entrance to lane, large stable in yard, water laid on, &c.
Also, a 4-roomed stone cottage, fronting Church-lane and the reserve lane, convenient out-buildings, and two substantial stables; in front of cottage a verandah has been formed, only requires roofing.
The above are both let to respectable tenants; to parties on the look out for investments, are worthy of attention.
To parties wishing room for horse and cart or for draymen, these are most desirable properties.
The usual Riley estate title direct from James John Riley, to the present proprietor.
Terms at sale.

Unreserved Sale on THURSDAY, September 29th, at 11 o'clock prompt.

Most Central Premises, situated in Charles-street, Woolloomooloo Bay, between Forbes and Burke streets, comprising TWO DWELLING-HOUSES, with excellent frontage, by good depth.

G. F. BAKER has received instructions to sell by public auction, at his New Commercial Rooms, Hunter-street, formerly the EMPIRE Office, on THURSDAY, September 29th, at 11 o'clock,
Two substantially-erected Brick Houses, situated in Charles-street, close to Woolloomooloo Bay, being Nos. 35 and 37, with a frontage to Charles-street of 30 feet, by a depth of 40 feet; each house contains four rooms, with balcony, outhouses, &c., together with convenient yard; water laid on, &c.
The advantages to which the Auctioneer would call particular attention to the above property, are the immediate proximity to the Government baths, the great convenience of steam and ferry boats, together with the comfort of parties keeping their own boats finding themselves but a few yards from the water.
For further particulars, and to view the houses, apply to G. F. BAKER, auctioneer, Hunter-street.
Notice.—The above sale, by order of the proprietor, has been altered from October 5th to THURSDAY, September 29th.
Terms at sale.

National Library of Australia http://nla.gov.au/nla.news-page1490105

SALES BY AUCTION

The Cargo of the Christopher George, from Canterbury, New Zealand.

Potatoes.
For Auction Sale, on the Grafton Wharf, on TUESDAY, 27th September.

MESSRS. W. DEAN and CO. have received instructions to sell by auction, on the Grafton Wharf, THIS DAY, 27th September, at half-past 2 o'clock,
The cargo of the Christopher George, from Canterbury, New Zealand.
47 tons very prime potatoes
Terms at sale.

Important to Timber Merchants, Builders, Contractors, Painters, and others.

The principal portion of the Cargo of the Forest Queen, from Leith.
Paving Stones, Whiting
Baltic batten Flooring Boards, 6½ x 1⅛
Ditto ditto ditto ditto, 6½ x ¾
Ditto ditto ditto ditto, 6½ by ½
Baltic Batten Boards, 6½ x ¾
Baltic Battens, 6½ x 2½
For Sale by auction on Russell's Wharf, foot of Margaret-street, on TUESDAY, 4th October,

MESSRS. W. DEAN and CO. have received instructions from the Importers to sell by auction, on Russell's Wharf, on TUESDAY, 4th October, at half-past 2 o'clock,
The principal part of the cargo of the Forest Queen, as above.
Terms at sale.

Oilmen's Stores and Groceries.
Ex Ferdinand Brumm, Caldera, and other vessels.

Extensive Unreserved Sale,
On THRUSDAY, 29th September.

To Grocers, Shippers, Storekeepers, and others.

MESSRS. W. DEAN and CO. have received instructions to sell by auction, at their Warehouse, Pitt and O'Connell streets, on THURSDAY, 29th September, at 11 o'clock,
The undermentioned parcels of oilmen's stores, &c., without the slightest reserve, viz.,
300 boxes Neva stearine candles
50 cases Hill and Ledger's assorted pint pickles
25 ditto ditto bottled fruits
15 ditto ditto pint salad oil
15 ditto ditto ½ pint ditto ditto
10 ditto ditto pints castor oil
15 ditto ditto ½ ditto ditto ditto
20 ditto ditto 1 lb. tins assorted jams
25 ditto ditto quarts crown table vinegar
10 ditto ditto ½ pints assorted sauces
5 ditto ditto mushroom ketchup
20 ditto ditto red herrings, in tins
30 ditto Compton, Brothers, 1 lb. salmon
10 ditto ditto 2 lb. ditto
20 ditto oysters
30 ditto prime smoked middle bacon
25 ditto ditto North Wilts cheese
10 ditto Barry and Co.'s chicory
15 ditto ditto mustard, in tins
5 ditto cervilato
10 casks tapioca
5 cases macarroni
5 ditto vermicelli
2 ditto W. I. arrowroot, in tins
5 casks bleached ginger
12 cases german sausages (genuine)
2 ditto dried Dutch sausages, &c.
Terms at sale.

Mauritius Sugars.
The Balance of the Cargo of the Wild Wave, from the Mauritius.
For Auction Sale on THURSDAY, 29th September.

MESSRS. W. DEAN and CO. will sell by auction, at their Warehouse, Pitt and O'Connell streets, on THURSDAY, 29th September, at 11 o'clock,
The balance of the cargo of the Wild Wave, from the Mauritius, comprising
HR No. 1.—60 bags Gaite fine white sparkling crystals
G&C No. 2.—152 bags Rosalie fine brown ration
4.—213 ditto California light counter
5.—134 ditto Rosalie light brown counter
9.—120 ditto Basin fine white crystals
10.—360 ditto Gaite large white crystals, very fine
12.—60 ditto Rivière Noire large grain light sparkling counter.
The above being the balance of the Wild Wave's cargo, will positively be sold to close the shipment.
Terms at sale.

Fine New Valencia and Muscatel Raisins.
Just landed.
For Auction Sale, on THURSDAY, 29th September.

MESSRS. W. DEAN and CO. have received instructions to sell by auction, at their Warehouse, Pitt and O'Connell streets, on THURSDAY, 29th September, at 11 o'clock,
300 boxes superior new valencia raisins
10 cases muscatel raisins, in layers.
Terms at sale.

Prime Gouda Cheese.
To Grocers, Storekeepers, and others.

MESSRS. W. DEAN and CO. will sell by auction, at their Warehouse, Pitt and O'Connell streets, on THURSDAY, 29th September, at 11 o'clock,
200 boxes prime Gouda cheese.
Terms at sale.

Hunt's Genuine Port Wines.
The Entire Cargo of the Kite, direct from Oporto.
Most Important
To Wine and Spirit Merchants, Hotelkeepers, Country Buyers, and Shippers.

Unprecedented Auction Sale,
At Lamb's Wharf, Fort-street, on board the Vessel,
☞ On FRIDAY, 30th September.

MESSRS. W. DEAN and CO. have been favoured with instructions from the importers, Messrs. Lamb, Parbury, and Co., to sell by auction, on board the Kite, at Lamb's Wharf, at 11 o'clock prompt, on FRIDAY, 30th September,
The entire cargo of that vessel, consisting of
Single Diamond,
pipes. hogsheads. quarter-casks.
10 40 450, Hunt's genuine port wine
Double Diamond,
10 30 350, ditto ditto.
Treble Diamond,
30 200, ditto ditto.
Quadruple Diamond,
20 100, ditto ditto.
60 cases, each 1 dozen, ditto ditto
40 ditto, ditto 2 ditto ditto ditto
30 ditto, ditto 3 ditto ditto ditto.
Also,
Ex Telegraph,
19 hogsheads West India rum, 30 o.p.
Ex Ferdinand Brumm,
250 cases champagne vineyard brandy.
Ex Glen Isla,
250 casks, each 4 dozen, Byass' ale.
Messrs. W. Dean and Co. beg to direct the attention of buyers to the adjoining colonies, buyers of wines for consumption, and all interested in the wine and spirit trade, to this highly important sale. The cargo comes direct from Oporto, and consists of Hunt's genuine port wine of the finest quality, and is without exception the choicest and extensive selection of port wines ever shipped to these colonies. The Kite was detained for a considerable time at Oporto, owing to the great difficulty experienced in procuring wines of a first-class description, notwithstanding that orders for the cargo had been forwarded some time previous to her arrival there, and at the time of her departure the market was almost bare, and there were no really choice wines obtainable. Messrs. W. Dean and Co. would also remark that, with the exception of this cargo, there is scarcely a parcel of genuine first-class wine in the colony. The sale is positively unreserved, and under these circumstances the Auctioneers trust that it will meet with the attention it deserves.
Terms, liberal.

Preliminary.

Extensive Sale of Boots and Shoes.
One hundred and eighty trunks of the celebrated manufacture of Messrs. Poole and Co.

MONDAY, 3rd October.

MESSRS. W. DEAN and CO. have received instructions to sell by auction, at their Warehouse, Pitt and O'Connell streets, on MONDAY, 3rd October, at 11 o'clock,
180 trunks Poole and Co.'s boots and shoes.
Now landing, ex Damascus.
Superior light summer goods.
Full particulars in future advertisements.

Preliminary Notice.
The Entire Cargo of the Excelsior,
Just arrived from Hobart Town.
50,000 feet Timber
10,000 Palings
150,000 Shingles.
For Sale by Auction, on the Flour Company's Wharf, on TUESDAY, 4th October.

MESSRS. W. DEAN and CO. will sell by auction, at the Flour Company's Wharf, TUESDAY, 4th October, at half-past 2 o'clock,
The entire cargo of the Excelsior, from Hobart Town.
Full particulars in future advertisements.

To Merchants, Warehousemen, Drapers, Shippers, and others.
173 Packages Drapery, Hosiery, Slops, Hats, &c.
Ex Damascus.

On WEDNESDAY, 28th instant.

MESSRS. W. DEAN and CO. have received instructions to sell by auction, at their Rooms, Pitt and O'Connell streets, on WEDNESDAY, 28th instant, at 11 o'clock,
173 packages seasonable choice drapery, slops, &c., comprising,
24 inch checked silks, 24d. and 30d. white and fancy lutes, parasols, kid gloves, stays, underclothing, printed bareges, muslin dresses, 12 yards, flounced ditto ditto, 16 yards, Norwich flounced dresses, straw hats, lace goods, 9-8 and 5-4 prints, challies, crossovers, black alpacas and coburgs, 6-4 silk figures, silk warp coatings, 9-8 and 36 inch supers, 8-4 greys, forfars, cotton and linen ticks, 7-8 and 4-4 unions, window hollands, 4-4 rough and dressed hollands, brown and bleached drills, navy canvas, brown cotton half-hose, women's brown and grey cotton hose, women's white cotton hose, cotton and merino vests, beaufort and eton ties, plain and checked lenos, navy and madder pockets, turkey twills, millers' mole trousers, fancy tweed doe and drill ditto, black and colored alpaca sacs, cream and white silk ditto, black doe ditto, fancy tweed and doe ditto, white shirts, W. and B., regatta ditto ditto, crimean ditto, &c., &c.
Terms at sale.

On account of whom it may concern.
Ex Sebastopol, Luckie, master, from London.
To Drapers, Toymen, Dealers, and others.
Workboxes
Writing-desks, &c., &c.
More or less damaged by sea water.

MESSRS. W. DEAN and CO. have received instructions to sell by auction, at their Warehouse, Pitt and O'Connell streets, on WEDNESDAY, 28th September, at half-past 10 o'clock,
D in diamond.
25, 26, 27, 29, 65—5 cases, containing
Rosewood workboxes, 8, 9, 10, 11 and 12 inch
Mahogany writing-desks, 14 and 16 ditto
Rosewood ditto, 12 and 14 ditto
Ditto ditto, inlaid pearl, &c , &c.
Terms, cash.

Preliminary.
The fine British-built schooner
Jeanie Dove.
For Sale by Auction, on WEDNESDAY, 5th October.

MESSRS. W. DEAN and CO. have received instructions to sell by auction, at their Warehouse, Pitt and O'Connell streets, on WEDNESDAY, 5th October, at 12 o'clock,
The fine British-built schooner Jeannie Dove, built at Greenock, of British oak, copper-fastened.
Full particulars in future advertisement.
Inventory in course of preparation.

THIS DAY.

To Fancy Ware Dealers and others.
Dolls
China Dolls
Portemonnaies
Beads.

PURKIS and LAMBERT will sell by auction, at their Mart, George-street, THIS DAY, at 11 o'clock,
2 cases, containing
Dolls, assorted
Beads
Superior lot of portemonnaies
Fusee cases.
Terms, cash.

TUESDAY, 27th September.

To Jewellers, Hawkers, Watchmakers, and others.
A Job Lot.
Unreserved.

PURKIS and LAMBERT will sell by auction, at their Mart, George-street, THIS DAY, 27th instant, at 11 o'clock,
Gold and silver English lever watches
Gold chains
Gold fob chains
Diamond rings
Gold earrings
Ditto charms
Ditto armlets
Ditto brooches
Ditto lockets
Ditto masonic brooches
Ditto ditto studs
Ditto studs
Silver watch guards
Ditto vinaigrettes
Double end spectacles
Gold and silver mounted vest buttons.
Terms, cash.

Beef, in Carcase.
THIS MORNING, at 9 o'clock.

PRITCHARD and WILLIAMS will sell by auction, at the Produce Mart, Sussex-street,
Carcases of Hunter River fat beef, in prime condition.
Terms, cash.

175 Packages Oilmen's Stores, &c.
Damaged by sea water.
Ex John Bright, Macquard, master, from London.
On account of whom it may concern.

FRITH and PAYTEN will sell by public auction, THIS DAY, the 27th September, at the Sydney Auction Rooms, at 11 o'clock,
The undermentioned goods, all more or less damaged by sea water,
B in diamond,
12 cases Whybrow's bottled fruits, each 2 dozen quarts
20 ditto jams, each 6 ditto 1lb. tins
27 ditto pickles, each 3 ditto pints
20 ditto vinegar, each 3 ditto quarts
25 ditto mustard, each 6 ditto ½lbs.
7 ditto assorted sauces, each 6 ditto half-pints
4 ditto sublime oil, each 3 ditto quarts
18 ditto ditto, each 4 ditto pints
34 ditto ditto, each 6 ditto half-pints
6 ditto bloaters, each 2 dozen tins (24).
Ex Lord Raglan,
On account of whom it may concern.
2 cases, each 5 gross japanned boxes wax vestas, 500 gross.
Terms, cash.

Earthenware and Glass
Elegant Bohemian Vases and Lustres, &c.
To the Trade and others.

FRITH and PAYTEN will sell at the Sydney Auction Rooms, THIS DAY, the 27th instant, at 11 o'clock,
Drab Druid and flower jugs, in sets
Flower blue cups and saucers
Flower toilet sets
Willow plates, 6 to 10 inch
Ditto flat dishes and bakers
Moulded tumblers, quarter and half pint
White and gold butter coolers
Stone ditto
Elegant Bohemian glass vases
Ditto richly cut, assorted colours
Handsome china ornaments, ditto
China toy tea sets, &c.
Terms at sale.

Fancy Goods, Jewellery
Brushware
Galvanized Iron Chains, &c
Eight-day Office Clocks.
To Fancy Dealers, Ironmongers, and others.

FRITH and PAYTEN will sell, at the Sydney Auction Rooms, THIS DAY, the 27th instant, at 11 o'clock,
Water colours, in boxes
Oval and round lead pencils
Bohemian glass vases and lustres
Chimney ornaments, spill boxes
China toy tea sets, in boxes
Glass sugar crushers
Fancy rings, in boxes, electro-plate
Wedding rings and keepers
Fancy buckle rings
White and brown fibre scrubs, polished back
Stove and shoe brushes
Painters' scrub brushes
Bass broom heads
Large size horn lanterns
Galvanised iron chains, assorted
Ditto ditto manger ditto
8-day office clocks, in mahogany cases, &c., &c.
Terms at sale.

Superior Eastern Produce.
The Trade are specially invited.

FRITH and PAYTEN are instructed by the importers to bring to unreserved sale by auction, at the Rooms, on WEDNESDAY, the 28th instant, at 11 o'clock,
Without reserve.
Just landed.
70 bags finest black pepper
500 ditto ditto Manila coffee
280 ditto superior Ceylon ditto
10 ditto cloves
20 ditto pimento
100 cans pearl sago
28 ditto arrowroot
500 bags white Java rice
300 cases China preserves, assorted
1000 bags Java sugar.
Terms at sale.

To Grocers and others.
No. 1 Crystallised Sugar.
Slightly damaged by sea water.
Ex Red Gauntlet, Tinmouth, master, from London.
On account of whom it may concern.

FRITH and PAYTEN will sell by public auction at their Sale Rooms, on WEDNESDAY, the 28th September, at 11 o'clock,
1-504—469 bags splendid white crystalised sugar, slightly damaged
35 bags ditto ditto ditto, much damaged.
Terms, cash.

New Zealand Fine Flour.
For Positive Unreserved Sale.
Important to the Trade.

FRITH and PAYTEN will sell by public auction, at their Sale Rooms, next WEDNESDAY, the 28th instant, at 11 o'clock,
100 bags New Zealand fine flour, each 200 lbs.
Terms, cash.

Marr's Patent Iron Safes.
Damaged by sea water.
Ex John Bright, from London.
On account of whom it may concern.

FRITH and PAYTEN will sell by public auction, at their Sale Rooms, THIS DAY, the 27th instant, at half-past 10 o'clock,
583 in triangle, 1—1 Marr's superior iron safe
2—2 ditto ditto ditto
156—1 ditto ditto ditto
RG in diamond, 1—1 ditto ditto ditto.
Terms, cash.

Altered from THURSDAY to WEDNDSDAY, the 38tn.
Eastern Produce.
Very Superior Congou, in half-chests
Choice Hysonskin, ditto chest and half ditto
White China Sugar.

Just arrived, per Bell Rock, from Hongkong, and for Positive Unreserved Sale by Auction.

On WEDNESDAY next, the 28th September.
By order of the Importers.

FRITH and PAYTEN have received instructions from Messrs. Smith, Brothers, and Co., to sell, at the Sydney Auction Rooms, on the above day, at 11 o'clock,
H&Co. in diamond,
No. 1—360 half-chests very fine congou
2—500 ditto ditto finest ditto.
A, AD conjoined, M&Co.,
1—200 ditto ditto very superior hysonskin
2—200 ditto ditto extra ditto ditto
3—206 ditto ditto finest ditto
4—200 chests extra fine ditto
5—103 ditto most superior ditto.
AB,
595 bags white Java sugar.
Tea dealers, family grocers, storekeepers, and others are specially invited to attend at this important auction sale, as it is the determination of the importers to quit the entire lot without regard to cost. No more teas can possibly be expected until the end of January or beginning of February next year, and will cost, laid down in Sydney, £11 10s. per chest.
Terms at sale.

In the Assignment of the Estate of Mr. Samuel Clark, Pitt-street.
By order of the Trustees.
To Drapers, Storekeepers, Hawkers, and the Trade.

On WEDNESDAY next, the 28th.
On the Premises, Pitt-street.
Sale to commence at 10 o'clock sharp, in consequence of the numerous lots.

MESSRS. CHAS. MOORE and CO. have received instructions from the trustees in the estate of Mr. Samuel Clark to sell by auction, on the premises, Pitt-street, on WEDNESDAY next, the 28th instant, at 10 o'clock sharp,
The whole of his useful and well assorted stock of drapery, millinery, haberdashery, &c., consisting of almost every line required by the trade, as follows:—
Silks, millinery
Prints, calicoes, linens
Stuffs, gloves, dresses
Haberdashery, hosiery
Sewed goods, trimmings, &c., &c.
Counters, shelves, &c., &c.
Gas fittings, chairs, &c., &c.
With a lot of various other goods suitable for the trade.
Terms, liberal.

New Goods, now landing from the Damascus and Blue Jacket.
To Drapers, Warehousemen, Storekeepers, and the Trade.

On THURSDAY, 29th,
FRIDAY, 30th,
At 11 o'clock each day.

MESSRS. CHAS. MOORE and CO. have received instructions to sell by auction, at their Rooms, Pitt-street, on the above days,
111 packages new and seasonable goods, now landing from the Damascus and Blue Jacket.
Terms at sale.

Two Days' Important Sale by Public Auction.
Under a Deed of Assignment, and by order of the Trustees.
The Entire Stock-in-Trade, Shop Fixtures, &c., &c., of Britannia House, Lower George-street.
. Sale Imperative, and Terms Liberal.
To Drapers, Storekeepers, Clothiers, General Dealers, and others.

MR. ROBERT MURIEL has received instructions from the Trustees of Mr. Owen's estate, to sell by public auction, the entire stock-in-trade of Britannia House, Lower George-street, THIS DAY, the 27th instant, and WEDNESDAY, the 28th instant, each day at 11 o'clock precisely,
Consisting of a general assortment of plain and fancy drapery goods
Hosiery
Haberdashery
Clothing
Slops
Blankets and flannels
Sailors' requisites, in endless variety
Shop fixtures, gas fittings
Show glasses, &c., &c.
N.B.—The public and intending purchasers are respectfully reminded by the auctioneer, that the above sale takes place under a deed of assignment. The entire stock, fixtures, &c., &c., must be removed two days after the sale, in order to give up possession of the premises. The stock has been very carefully taken, and each lot will be sold, and is to be taken as described by the auctioneer, as regards lengths and quantities. Each day the sale will be adjourned at one o'clock, and resumed at half-past one o'clock.
Term , liberal.

Butchers, Butchers, Butchers.

MR. W. FULLAGAR has received instructions from R. Skuthorp, Esq., to sell, at his Yard, Western Road, on THURSDAY next, the 29th of September, at 12 o'clock,
200 head of prime fat cattle, in lots to suit purchasers.

Eleme Raisins,
On account of whom it may concern.
Ex Lord Raglan, ——, master, from London.
Damaged.

PEEK and FOTHERINGHAM will sell by public auction, at their Rooms, 309, late 214, George-street, on WEDNESDAY, the 28th instant, at 11 o'clock precisely,
D in diamond FH outside,
49 boxes Eleme raisins.
Terms, cash.

Opium.
For Auction Sale, WEDNESDAY next, the 28th instant.

PEEK and FOTHERINGHAM will sell by public auction, at their Rooms, 309, late 214, George-street, on the above day, at 11 o'clock precisely,
T, Nos. 1, 2, and 3,
Three cases opium.
Terms at sale.

To Grocers, Storekeepers, Country Buyers, and others.
Currants
Sardines
1-lb. Salmon
Oilmen's Stores
Soap, &c.

PEEK and FOTHERINGHAM have received instructions from the importers to sell by auction, at their Rooms, 309, George-street, on WEDNESDAY next, the 28th instant, at 11 o'clock precisely,
5 caroteels currants
20 cases ditto
25 barrels oatmeal
10 cases 1-lb. salmon
50 ditto Heaton's pickles, pints and quarts
30 ditto bottled fruits
20 ditto half-pint salad oil
10 ditto ½-lb. sardines
10 ditto ¼-lb. ditto
30 half-barrels white herrings
30 quarter ditto ditto ditto
2 cases arrowroot
30 ditto Feast's 1-lb. jams
50 boxes raisins
20 cases saloon matches
30 ditto Champion's quart-vinegar
10 barrels bleached ginger
10 cases assorted sauces
50 boxes pipes, &c. Also,
About 7 tons crystallised sugar
4 tons colonial soap.
Terms at sale.

Preliminary Notice.
Boots and Shoes.
Now landing, ex Damascus.
Without Reserve.

PEEK and FOTHERINGHAM have received instructions from the importers to sell by auction, at their Rooms, 309, George-street, on MONDAY, the 3rd October, at 11 o'clock precisely,
Ex Damascus,
WR in diamond,
76 trunks boots and shoes, all new and seasonable goods.
Full particulars in a future issue.

LUDDENHAM ESTATE. — Lithographs, showing the sub-division of the above, can be obtained on application to Mr. BURTON, superintendent on the estate, or to the undersigned.
Day of sale, MONDAY, 31st October,
At Beatson's Commercial Hotel, Penrith.
R. P. RICHARDSON, Bank-buildings, George-street.

No reserve.
To Brickmakers, Woodmen, and others.
Firewood.

R. P. RICHARDSON will sell by public auction, on the Ashfield Park Estate, a few yards from the railway station, on SATURDAY NEXT, 1st October, at half-past 2 o'clock,
About 600 loads of firewood, including a quantity of billet wood.
In twelve lots, to suit purchasers.
Terms, cash

KINGSTON, NEWTOWN.

SPENCER'S GROCERY STORE,
At the corner of Albemarle and Wellington streets, Kingston, opposite Mr. NOBBS' Paddock, and the residence of Mr. HINCHCLIFFE, now in course of erection, close to the Newtown Railway Station.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on MONDAY, 3rd October, at 11 o'clock,
All that valuable corner allotment of land situate at KINGSTON, NEWTOWN; having 74½ feet frontage to Albemarle-street, and 41½ feet frontage to Wellington-street; being lot 156 of section 4, as per plan, on which are erected those well-know premises SPENCER'S STORES, built of brick on stone foundation, cemented outside, containing shop and three apartments, with yard, large wooden store, well of good water, &c., at the rear.
The whole of the frontage of the land to Wellington-street, and about 27 feet to Albemarle-street is still unoccupied, and available for either enlarging the stores or for the erection of another house.
☞ The above is about the best position in Kingston for trade purposes; and Mr. Spencer who has established a most remunerative business, is now only disposing of it in consequence of ill-health compelling him to leave the colony.
The premises are strongly built and well finished, and in every way adapted for stores, or by a little alteration for private residence.
This sale affords an opportunity of securing a comfortable homestead in the most improving suburb of Sydney with a business attached to it, which, with attention, will yield to the purchaser a competency in a few years, and which can be enlarged to any extent if desired.
Plan on view at the Rooms.

ARGYLE-STREET, CITY OF SYDNEY.

THREE Valuable BUILDING SITES, at the corner of ARGYLE-STREET and NEW GEORGE-STREET, a few yards from GEORGE-STREET SOUTH, between the property of Mr. Henry Bell and the Argyle Stores.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on MONDAY, 3rd October, at 11 o'clock,
All those three valuable allotments of land at the south-east corner of Argyle and New George streets, having each 18½ feet frontage to Argyle-street, with a depth of 60 feet, one lot of which has also a frontage of 60 feet to New George-street, being lots 12, 13, and 14, as per plan of subdivision.
☞ This valuable block of land will be sold in one or three lots to suit purchasers, and in calling attention to the sale Mr. Richardson scarcely deems it necessary to make a single comment, feeling confident that the position of the property speaks for itself, and that it will be acknowledged by all to be about one of the best sites in the city, especially for business purposes, being only a few yards from George-street, the wharves, and close to the whole business portion of the city.
Plan on view at the Rooms.

By order of the Mortgagee.
TOWN OF PARRAMATTA.

Extensive Piece of Land, containing upwards of half-an-acre, situate at the corner of Macquarie and O'Connell streets, with brick-built Cottage and other premises.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank Buildings, George-street, on MONDAY, 3rd October, at 11 o'clock,
All that valuable block of land, in the town of Parramatta, containing upwards of half-an-acre, with extensive frontages to MACQUARIE and O'CONNELL STREETS, on which is erected a capital brick-built cottage residence, containing six rooms, with detached kitchen, bakehouse, granary, &c.; yard, garden ground, well of water at the rear.
☞ This property, which is well known as being the late business premises of Mr. W. H. Bennett, is immediately in the centre of the town, in a good position.
Plan on view at the Rooms.
Terms at sale.

VICTORIA-STREET.

Beautifully situated Building Site adjoining the north side of Mrs. Stephen's cottage, Victoria-street, having a frontage of 40½ feet to that street with a depth of 175 feet, extending to Brougham-street, to which it also has a frontage of 40½ feet.
Title unquestionable; for full particulars of which apply to M. C. Stephen, Esq., Solicitor.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on MONDAY, 3rd October, at 11 o'clock,
All that piece of land, being a portion of the Tusculum Estate, containing by admeasurement 25½ perches, more or less, commencing on the south-west side of Victoria-street, on the southern boundary line of the aforesaid estate, and bounded on the east by Victoria-street 40½ feet; on the north by a line 175 feet to Brougham-street; on the west by that street, 40½ feet; and on the south by the said southern boundary line, 175 feet to the commencing corner.
☞ This is a truly beautiful site, eligible for building purposes, elevated, and commanding one of the finest views that can be imagined, while at the same time it is within walking distance of the business part of the city. To the many enquiries for land in this favourite locality, an opportunity is here afforded for securing, perhaps, the choicest situation in the street, for the whole will be most positively sold in one lot on the above date.
Plan on view at the Rooms.
Terms at sale.

Household Furniture and Effects.
At Snail's Bay, Balmain.

MR. EDWARD SALAMON has received instructions from the Rev. Mr. Arnold to sell by auction, at that gentleman's residence, Snail's Bay, Balmain, on TUESDAY, October 4th, at 11 o'clock,
All the household furniture and effects, comprising
Mahogany hair-seated chairs
Telescope dining table, cheffonier
Rosewood loo table; easy chairs, covered in leather
Hair-seated sofa, mahogany sideboard
Lady's work table, rocking chairs
Pair globes, book shelves
Carpet and rugs, fenders and fireirons
Iron bedsteads and bedding, complete
Marble slab and other washstands
Toilet tables and glasses, chests drawers
Cane-seated chairs, towel horses
Kitchen furniture and utensils
American cooking stove, and other effects.
Terms, cash.

In the Insolvent Estate of ——— Ward, coachmaker, of Kent-street, Sydney.
By order of the Official Assignee, John Morris, Esq.

MR. THOMAS B. HUMPHERY will sell by auction, on the premises, on WEDNESDAY, 28th instant, at 11 o'clock precisely,
A quantity of articles suitable for the above trade, consisting of a smith's shop, fitted up with bellows, anvil, vyce, &c.; unfinished spring vans and carts; spokes, crane, cramp, and other articles too numerous to mention.
Terms, cash.

Byass' Bottled Ale and Porter, New Label.
On account of whom it may concern.
Ex Bostonian, Burnham, from London.
Damaged by sea water.

WEDNESDAY, 28th September.

BOWDEN and THRELKELD will sell by auction, at the City Mart, on above day, at 11 o'clock,
B over MIHX&Co. S under—
13 cases, each dozen Byass' porter
3 ditto, each 4 ditto ale
50 ditto, each 4 ditto, new label
50 ditto, each 4 ditto, ditto
Terms, cash.

THURSDAY, 29th instant.

Tinware.

BOWDEN and THRELKELD will sell by auction, at the City Mart, at 11 o'clock,
An invoice of assorted tinware,
Tea and coffee pots, cullenders, dustpans, slop pails, lanthorns, round and oval bakers, flewed and hollowed basins, camp kettles, bush pots, tea canisters, oil bottles, water cans, milk dishes, &c.
Terms at sale.

Wines, Spirits, Beer, &c.

WEDNESDAY, 28th instant.

To Wine and Spirit Merchants, Hotel Keepers, and others.

BOWDEN and THRELKELD will sell by auction, at the City Mart, at 11 o'clock,
50 hogsheads W. I. rum, 30 o.p.
25 ditto ditto ditto, 14 o.p.
200 cases old tom
50 ditto geneva
28 hogsheads superior sherry
14 quarter-casks ditto ditto
30 hogsheads port
15 quarter-casks ditto
200 cases Byass' ale and porter
50 ditto Salt's sale, &c., &c.
Terms at sale.

Cutlery.
To Ironmongers, Storekeepers, and others.

THURSDAY, 29th instant.

BOWDEN and THRELKELD will sell by auction, at the City Mart, on above day, at 11 o'clock,
An invoice of very superior cutlery, comprising penknives—1 to 4 blades, castrating ditto, pruning knives, best polished scissors, garden ditto, ladies' ditto, surgical ditto, tailors' ditto; best butchers' knives, 6 to 12 inches; superior razors, white and black handles; balance handle ivory table knives and forks; patent roller steels, ivory table ditto; round of beef knives, &c., &c.
Terms at sale.

Kent Hops.

FRIDAY, 30th instant.

BOWDEN and THRELKELD will sell by auction, at the City Mart, on the above day, at 11.
54 pockets Kent Hops.
Terms at sale.

Highly Important City Properties.
At the corner of Queen's-place, extending along George-street to St. John's Tavern, at the corner of George-street with Bridge-street, having a frontage to the former of 71 feet 6 inches.

To Merchants and others desirous to secure a first-rate business position.

BOWDEN and THRELKELD have the pleasure to announce that they are instructed to sell by auction, at the City Mart, on THURSDAY, the 6th day of October, at 11 o'clock,
The whole of that block of land, with the four shops erected thereon, adjoining St. John's Tavern on the north side, and extending along George-street, to the corner of the next street, known as Queen's-place, which connects New Pitt-street with George-street.
This situation for business premises of the first respectability, is not to be surpassed, scarcely to be equalled in the city, being near to the Circular Quay and other principal wharves, to the Custom House, the Exchange, banks, and other public buildings. Charlotte-place commences directly in front of the property, and extends along Church-hill to Kent-street, having on the south the large open space on which the old church lately stood, thus securing to all buildings erected on the land now offered for sale the greatest prominence and publicity, and at the same time a pure and healthy atmosphere.
Lot 1. The corner of George-street and Queen's-place, having 54 feet to the latter, 23 feet 6 inches to George-street by a breadth at the back of 31 feet 6 inches.
Lot 2 adjoins lot 1, having 24 feet to George-street by a depth of 54 feet, a little more or less.
Lot 3 adjoins St. John's Tavern, having a frontage to George-street of 24 feet by a depth of 54 feet, a little more or less.
Lot 4 will comprise the whole of the buildings now on the ground, comprising four houses producing a weekly rental of £11 10s. on recently reduced rates, the tenants being subject to a short notice. The purchaser of this lot will have to remove the buildings in a limited time unless he should become the owner of the land.
The Auctioneers will first submit the whole in one block, because the return from the present buildings—£588 per annum—may be considered satisfactory to a purchaser content with a reasonable interest for his money, without erecting new buildings. Or it may happen that a wealthy capitalist would like to have two or more shops of large dimensions and modern design, more worthy of such a choice spot, and better calculated to produce a larger return for the money invested in the land.
Terms at sale.

Permanent City Property.

Riley-street, Woolloomooloo.

BOWDEN and THRELKELD will sell by auction, at the City Mart, on THURSDAY, the 6th of October next, at 11 o'clock,
Two handsome, substantial, and convenient houses, immediately adjoining the Boomerang Hotel in Riley-street.
Each house contains on the ground floor an entrance hall, front and back parlour, and a kitchen.
On the first floor a drawing-room in front, opening by means of French windows on to a neat iron balcony. On this floor are two good bedrooms.
On the second floor are two convenient attic rooms.
The buildings are of stone, with slated roofs; the fronts of cut stone. At the rear of each is an enclosed yard and out offices; water laid on; a reserved gateway to allow of an entrance to the rear of the premises from the street.
These houses were built by Mr. Crawford about seven years since, and are now in excellent repair.
They will be sold in one lot, and without reserve.
The usual Riley Estate title.
Terms at sale.

Two Stone-built Houses at the corner of Liverpool and Bourke-streets, with a large plot of Building Land.

BOWDEN and THRELKELD will sell by auction, at the City Mart, 362, George-street, on THURSDAY, the 6th of October, at 11 o'clock,
Lot 1. Two stone-built houses, each containing five rooms, with slated roofs, and enclosed yards, situated in Bourke-street, close to Liverpool-street, and numbered 223 and 225. Water laid on to each house.
These houses are strongly built of stone, have each two rooms on the ground floor, two on the first, and one on the attic.
Lot 2. Is a large corner allotment of land, having a frontage to Liverpool-street of 44 feet, and extending along Bourke-street to the buildings described above as Lot 1.
These premises are for sale in consequence of the owner proceeding to England immediately.
The occupants will allow intending purchasers to inspect the premises.
Title satisfactory.
A plan on view at the Mart.
Terms, cash.

CITY PROPERTY, PITT-STREET SOUTH, between Liverpool and Goulburn streets. A most valuable and extensive BLOCK of LAND, upon which are erected NINE HOUSES, well and substantially built, in good repair, and respectably tenanted, immediately opposite the properties of Mrs. Ellard and Dr. Fullerton, together with a vacant space of ground, sufficient for the erection of three or four more houses.

BOWDEN and THRELKELD are instructed to sell at their Rooms, on THURSDAY, the 6th October, at 11 o'clock,
The whole of that valuable block of land containing 33 perches, more or less, having about 107 links frontage to Pitt-street, by a depth on the south side of about 201 links, and on the north side by a depth of about 190 links, being allotment No. 11 of section No 7 in the Government plan of the city, and upon which are erected THREE DWELLING-HOUSES and ONE SHOP, being Nos. 404, 406, 408, 410, fronting Pitt-street, with enclosed yards, out-offices, &c., &c.; and also, FIVE excellent BRICK-BUILT HOUSES, two stories high, at the rear of the above —the whole producing a rental of about £420 per annum.
Four of these houses were built about four years since under the superintendance of Mr. Robertson, architect, and no expense spared in their erection. There is a vacant portion of the ground sufficient for four others of the same dimensions.
☞ Every day tends to increase the value of landed property in the southern portion of George and Pitt streets, which must eventually become the most busy and business part of the city. A small outlay would suffice to convert the whole of these houses fronting Pitt-street into convenient business premises, which would materially increase the present rents derivable from them. They have always commanded respectable tenants, and, from their position, will continue to do so. The paving of the frontage to Pitt-street has just been completed in accordance with the Municipal Act.
Title, unquestionable.
Terms at sale.
Full particulars on application to the auctioneers. The whole will be submitted in one lot, or in portions to suit buyers.

VILLAGE OF ST. PETER'S, COOK'S RIVER ROAD ALLOTMENT OF LAND.
Title unquestionable. Terms at Sale.

MORT and CO. have received instructions to sell by public auction, at the Rooms, Pitt-street, at 11 o'clock, on WEDNESDAY, 28th SEPTEMBER,
A capital allotment of land, having 33 feet, more or less, frontage to Victoria-street, by a depth of 99 feet, more or less, being lot 17, of section 3, as per plan of the Village of St. Peter's.
☞ This allotment is in the market FOR POSITIVE SALE, and, to any one in search of land in that locality, is well worth attention, as I is sure to be had a bargain.
Plan on view at the Rooms.

That very beautiful property, and commodious Family Residence, ENGEHURST, occupying an elevated position on THE GLENMORE ROAD, commanding a delightful view of the Harbour; adjoining ORMONDE HALL, and surrounded by those splendid properties, DEEPDENE, the residence of W. G. M'Carthy, Esq; FLINTON, occupied by W. Deane, Esq., and BRADLEY and DUXFORD, belonging to Messrs. Broughton and Gurner.
Title, unquestionable.
Terms at sale.

MORT and CO. have been instructed to sell by public auction, at the Rooms, Pitt-street, at 11 o'clock, on WEDNESDAY, 12th October,
That delightful family residence EUGEHURST HOUSE and GROUNDS.
THE HOUSE is built of stone throughout, principally nine inch courses of masonry, of the very best work and materials. It contains front and back verandahs, and fourteen apartments, with double range of cellars in the basement, flagged and ceiled. Attached to the house at the rear is the range of stabling, and servants' offices; the former fronting the stable yard, which is enclosed by a high stone wall, and the latter the back court. It contains three-stall stable, and large double carriage house, with loft over all; a large laundry and servant's room, with other servants' apartments over. The buildings are of a most substantial character, and could not be erected at the present time for several thousand pounds. THE DRAINAGE IS PERFECT.
THE GROUNDS occupy an area of UPWARDS OF 2½ ACRES, with extensive frontage to the Glenmore Road. They are planted throughout with a GOOD CARRIAGE DRIVE, leading up to the house, and BEAUTIFUL LAWN in front. There is also another entrance to the property by a street leading into the South Head Road, opposite the Victoria Barracks.
☞ This property is now in the market for bona fide sale; MORT and CO. would therefore solicit an inspection of it by parties who may be on the look out for a FIRST-CLASS FAMILY RESIDENCE.
Although distant very little more than a QUARTER of a MILE from the CITY BOUNDARY, still, from its position, and being surrounded by very choice properties, most of which are inhabited by the proprietors, Engehurst enjoys all the SECLUSION of the COUNTRY, with the facilities of constant and easy access with the business portions of the metropolis. There is a LOVELY VIEW of the HARBOUR from the house; and, altogether, it is one of the most beautiful spots in the neighbourhood of the city.
. Parties wishing to view the property are requested to apply for cards to MORT and CO., the Rooms, Pitt street.
PLAN on view at the Rooms.

Milch Cows. Milch Cows.
At the Homebush Repository, on WEDNESDAY next, the 28th instant.

THOMAS DAWSON is instructed by W. C. Harvie, Esq., of Hoxton Park, to sell by auction, on the above day, at 12 o'clock,
10 head of superior milch cows, selected expressly for this market—some calved and some springing, all broken to bail, and good milkers. The cattle have arrived, and can be seen any day at Homebush.
☞ The attention of private families, milkmen, and others is particularly directed to this sale.

20 Head of Mixed Cattle.

At the Homebush Repository, on WEDNESDAY next, 28th instant.

THOMAS DAWSON is instructed to sell by auction, on the above day, at 11 o'clock,
20 head mixed cattle, some fit for slaughter, and others for store purposes—in lots to suit purchasers.

Parramatta.
Unreserved Sale of Stock-in-Trade, &c., &c.

Linen and Woollen Drapery, Hosiery, Haberdashery, Slop Goods, Silks, Ribbons, Laces, Prints, Shoes and Boots, Combs and Brushes, Parasols, Gloves, Hats and Caps, Dress and Fancy Shirts, Blondes and Crapes, Gimps and Braids, Beads, and numerous Fancy Goods.

THIS DAY, 27th September.

MR. J. F. STAFF is instructed by Mrs. Edrop to sell by auction, at her establishment, Church-street North,
The whole of the stock-in-trade, comprising a vast variety of useful and fancy goods, too numerous to particularise. Also,
A quantity of household effects, consisting of a patent washing machine, plate rack, cooking stove, bedsteads, child's cot, tables, chairs, trunks, counters, and glass cases.
£700 worth of stock-in-trade.
Sale to commence at 11 o'clock.

Preliminary Notice.

MR. JAMES T. RYAN begs to notify that he has been instructed by P. G. King, Esq., to offer for sale by auction, at Penrith, on an early day in November next,
A number of allotments of land in the extension of the town of Penrith, contiguous to the railway terminus, on the south and north side of Henry-street East. A map is in preparation, and further notice of the time of sale will be given when completed.

THURSDAY, 6th October, 1859.

The Township of Upper Tuena.

P. DIGNAM and CO. have been favoured with instructions from Mr. Moss Marks to sell by public auction, on the ground, on THURSDAY, 6th October, at 11 o'clock,
50 allotments of the township of Upper Tuena, situate at the crossing place on Tuena Creek, and comprising the premises now occupied by the Gold Commissioner and the Police—the very centre of the diggings.
The allotments vary in area from 1r. 37p. to 2a. 1r. 19p., and have been carefully marked out with substantial numbered pegs. Poles have been erected at the corners of each section, and lithographs will be circulated in the course of a few days, so that intending purchasers will have every opportunity of ascertaining the whereabouts of the various lots.
☞ The township of Upper Tuena, from its convenient position, and the facilities it affords for building operations, is eminently calculated to meet the requirements of the increasing population of those thriving diggings; and the proprietor has been induced to have it laid out on the most desirable portion of his estate, at the solicitation of many members of the mercantile and digging community. Parties trading to Tuena will also find it most advantageous to secure one or more of the lots, the whole of which have street frontages, and easy access to water.
The whole of the land is of an auriferous character, and has been much coveted by the diggers working above and below it; but the proprietor prefers to throw it open for public competition. Reserves have been appropriated for churches and schools; in fact, everything has been done that appeared likely to add to the natural advantages of the township.
Plans will be on view at Tuena and Goulburn in a few days, when lithographs will be obtainable at the rooms of the auctioneers, who will be happy to give any further information respecting the property.
The terms have been made so easy as to bring the allotments within the reach of all, viz , 25 per cent. cash deposit, and the residue by bills at three and six months, without interest.
Title, unquestionable.

In the Supreme Court of New South Wales.
Sheriff's Office, Sydney, 12th September, 1859.
CRABB v. RYAN.

THIS DAY, the 27th day of September instant, at noon, at the London Tavern, George-street, Sydney, the SHERIFF will cause to be sold by public auction (unless the writ of fieri facias, issued in the above cause be previously satisfied), the defendant's right, title, and interest (other than an equity of redemption) of, and in to,
1st. All that parcel of land, containing by admeasurement 1 rood and 21 perches, situated in the town of Berrima, parish of Berrima, county of Camden, in the colony aforesaid; allotment No. 7, of Section No. 13, bounded on the north by the Wingecarrabee River; on the west by No. 6 allotment, south 3 chains and 92 links; on the north by Wingecarrabee-street east 1 chain; and on the east by No. 8 allotment, north three chains and seventy-four links.
2nd. All that parcel of land containing by admeasurement 1 rood and 20 perches, situated in the town of Berrima, parish of Berrima, and county of Camden aforesaid, allotment No. 8 and section 13, bounded on the north by the Wingecarrabee River; on the west by No. 7 allotment, south 3 chains and 74 links; on the south by Wingecarrabee-street, east 1 chain; and on the east by No. 9 allotment, north 3 chains and 75 links.
3rd. All that parcel of land containing by admeasurement 1 rood and 19 perches, situate in the town of Berrima and county of Camden aforesaid; allotment No. 9, of section No. 13, bounded on the north by Wingecarrabee River; on the west by No. 8 allotment south 3 chains and 75 links; on the south by Wingecarrabee-street, east 1 chain; and on the east by No. 10 allotment, north 3 chains and 70 links.

MUNICIPAL COUNCIL.

The usual fortnightly meeting of the City Council was held in the Town Hall, King-street, at three o'clock yesterday afternoon. Present: the Mayor, and Aldermen Sutherland, Speer, Oatley, Sutton, Smithers, Northwood, Broughton, Thurlow, Williams, Murphy, and Spence. The Right Worshipful the Mayor in the chair.

MINUTES.

The minutes of the previous meeting were read and confirmed.

REPORTS.

Reports from the various committees, as follows, were brought up and received:—From the Financial Committee, recommending the payment of sundry accounts; namely, the sum of £1857 0s. 9d. for city purposes, and £504 on account of the water supply; total, £2361 0s. 9d. From the Finance Committee, recommending the Council to vote the sum of £25 to Mr. Parker, for forage for his horse; from the Lighting Committee, recommending the erection of a gas lamp in Glebe-street; another from the Lighting Committee respecting the erection of lamps in Abercrombie-street; from the Water Committee, recommending the Council to vote the sum of £60 for the purpose of supplying the new Markets, in George-street, with water, the pipes to be laid down forthwith.

PETITIONS.

Alderman Oatley presented a petition from between thirty and forty persons resident in Duke-street, praying for certain repairs and improvements in that locality. Received and referred to the Improvement Committee.

Alderman Sutherland presented a petition from the committee for the erection of the new Roman Catholic church on Mount Lachlan, praying the Council to grant the new Market for the purpose of holding a bazaar, with the view to raise funds to defray the expenses attending the erection of the new edifice. Received and referred to the Improvement Committee.

CORRESPONDENCE.

A letter was read from Mr. Robert Buyers, tendering his resignation as one of the City Auditors, in consequence of long-continued illness.

QUESTIONS.

Alderman Thurlow asked the Mayor, Whether the amount of £1000, voted by the Council for expenditure toward excavating for laying the foundations of the Town Hall, had been expended, or what part thereof, on the ground near Bent-street; and if not, why not? Upon the answer would depend the necessity of a motion upon the subject.

His Worship replied that a contract for carrying out the work referred to had been accepted, and the work under the contract was progressing when it was stopped by order of the officers of the Corporation. The amount expended before the contract was stopped was £256 4s. 11d.

Alderman Thurlow asked the Mayor whether anything had been done with regard to the electoral roll upon which the citizens would have to elect their aldermen, as there was a defect that would require to be remedied before any municipal election could take place?

His Worship replied, that the matter had been under the consideration of the Government, and a bill to remedy the defect alluded to would be introduced into the Assembly in a few days. In answer to another question by the same Alderman, as to whether the Mayor was in communication with the Premier respecting the proposition of bringing in a bill to enable the Council to dispose of the ground granted for the purpose of erecting a town hall upon, and of purchasing another piece with the proceeds, he (the Mayor) replied in the negative.

Alderman Murphy asked the Mayor whether it was his intention to order the collection of the sewerage rates, and if he intended to issue distress warrants in the event of the rates being refused?

His Worship replied that he should do neither without being instructed to do so by the Council.

FORTNIGHTLY PAYMENTS.

Alderman Thurlow moved "That the report of the Finance Committee received this day, recommending the payment of sundry accounts, be adopted."

Alderman Oatley seconded the motion.

Alderman Sutherland moved as an amendment, "That the report of the Finance Committee, now before the Council, be adopted, with the exception of the portion recommending the payment of Lacey's accounts, amounting to £113 7s., and that the said accounts be referred to the Improvement Committee for reconsideration."

Alderman Speer seconded the amendment.

Some discussion, in which Aldermen Oatley, Thurlow, Williams, Broughton, Murphy, Sutherland, Northwood, and Speer took part, ensued. For the amendment it was argued that the work for which the £113 7s. was to be paid, was not done, or if done, not satisfactorily so, and that the conduct of the contractor was censurable in not doing the work according to agreement, and the conduct of two of the officers of the Corporation was censurable for certifying that the work was done when it was not. On the other hand it was contended that the work referred to had been done, that it had been inspected by the officers appointed for that purpose—and that these officers had given certificates to that effect.

The amendment was put to the Council and negatived; and the original motion was then put and carried.

FINANCE COMMITTEE.

Alderman Northwood moved, "That so much of the resolution of Council, passed on the 28th December, 1858, making the Finance Committee to consist of the whole of the members of this Council, be rescinded; and that this Council do now proceed to elect a Finance Committee, consisting of eight members—one from each ward—by ballot."

No seconder was found for the motion for some time, but Alderman Murphy eventually seconded it, the motion was put from the chair and lost, the mover and seconder only voting for it.

MEMORIAL TO THE LEGISLATURE.

Alderman Thurlow moved, "That the report of the Finance Committee, submitting for the approval of the Council, a memorial to be laid before the Legislative Assembly, with reference to certain matters affecting the interests of the Corporation, be adopted." The Alderman stated that a draft of the memorial had been laid upon the table of the Council at the last meeting, and that after some discussion it was referred back to the committee. The draft had since received the earnest attention of the committee; various alterations and improvements had been made, and the draft had been to some extent remodelled. He then went into the subject matter of the memorial, and briefly narrated the various causes that had led to the Council's present financial embarrassment.

The motion was then put and carried *nem. con.*

The following is a copy of the memorial adopted:—

"To the Honorable the Legislative Assembly of New South Wales, in Council assembled.

"The Memorial of the Mayor and Aldermen of the city of Sydney, in Council assembled.

"Humbly sheweth—That your memorialists would beg respectfully to submit to your honorable House the following matters, seriously affecting the present and future position of the Municipal Council of Sydney, with the hope that the same may receive favourable consideration.

"Your memorialists desire to represent to your honorable House, that at the time they entered upon their duties the streets of the city were in a deplorable condition, and that to keep the public thoroughfares in repair during the past two-and-a-half years, it has cost the sum of £140,000, of which amount £80,000 has been raised by direct taxation; £25,000 as fees, fines, licenses, and rent, and a further sum of £17,000 received from the Government, being a portion only of the parliamentary vote towards the City Fund.

"That as the sum of £7740 had been voted by the Legislature, at different periods, towards the formation of streets opened through Crown lands in the city, your memorialists were induced by Government to undertake these works, and have completed them at the cost of the city.

"That during the last sessions of Parliament the sum of £10,000 was appropriated in aid of the city for the current year.

"That these sums, amounting to £17,740, are now withheld by the Government as interest due upon Water and Sewerage Debentures. That in consequence of the Government withholding these sums of money, and refusing to pay the amounts due for land resumed for water purposes, your memorialists have, for the past four months, discharged the staff usually employed upon the streets, and have been constrained from entering upon any new contracts; and, with the utmost economy, it will require £20,000 in addition to the ordinary revenue, to defray the expenses of the current year.

"Your memorialists beg to represent to your honorable House that the City of Sydney is now encumbered with a debt of £213,300 for sewerage purposes, and upon this debt the sum of £   has been paid by way of interest. That the rates received up to the present time, under the Sewerage Act, amount to the small sum of £1238 19s. leaving a loss upon this item of £   , and that the total amount of rates derivable under the Sewerage Act is inadequate to pay the interest upon the Sewerage debt.

"That a considerable portion of this sewerage passes along public property, in the possession of the Crown, from which no rates are derivable, and that as only a sixth part of the city is provided with underground sewerage, it is manifestly unjust to constrain those citizens who derive no advantage from the present sewerage, to contribute to this impost.

"Your memorialists desire to represent to your honorable House, That to provide a permanent supply of water to Sydney, the Legislature empowered the Government to borrow £200,000 for the construction of the necessary works. That these works when complete will cost, irrespective of the purchase of land, the sum of about £   , of which sum there has been already obtained from Government £213,337, from the water fund £52,260, and by way of credit £22,303.

"That the purchase of land resumed by the Government for the water reserve, and for assessed damages sustained by passing the mains through private property, will cost the sum of £   towards which the Government have paid £35,830, the Corporation have been constrained to pay £   , and there still remains to be paid £   pending the consideration of your honorable House.

"That the revenue has not yet been increased by the expenditure of this large outlay, and that the funds derivable from water will be required, for years to come, to defray the expense of laying piping to other parts of the city.

"Your memorialists beg to state that the cost for resumption of water rights, for water supply, and for the land, was not comprised in the estimate of £200,000 submitted by the Government. That it never was contemplated that the citizens of Sydney should, by direct taxation, pay for the land resumed, and then again have to pay the usual water rates. In proof of which statement the late premier, Mr. Donaldson, submitted for consideration of Parliament the payment for the land so resumed out of the consolidated revenue, and a vote for £25,800 was obtained, and that sum paid by Government. Your memorialists therefore submit that no portion of the cost for land so resumed should form a charge upon the revenues of the city.

"Your memorialists would respectfully remind your honorable House that the citizens of Sydney have contributed, by direct taxation, during the past two-and-a-half years the sum of £80,000, and there will be paid £20,000 more by the close of the year, making £100,000 in three years, whilst no other part of the colony has been subject to direct taxation; and in addition to the above amount the sum of £50,000 has been paid, or withheld, as interest upon an expenditure which has only produced the small sum of £1238 19s. as revenue.

"That the present condition of the Corporation finances renders it utterly impossible for your memorialists to conduct the business of the city with credit to themselves or with satisfaction to their constituents.

"Your memorialists would therefore respectfully solicit the favourable consideration of your honorable House to the several matters herein set forth, and that such measures may be adopted as the merits of their case demand.

"And your memorialists, as in duty bound, will ever pray.

REMUNERATION FOR EXTRA SERVICES.

Alderman Thurlow moved, "That the report of the Finance Committee, received on the 9th instant, recommending that the sum of £25 be awarded to the messenger for extra services performed by him, be adopted."

The Alderman said, in moving it, that he did not apprehend that the motion would meet with any opposition. The sum of £25 had been voted last year for extra duties, and the young man now employed as messenger, had continued to perform the extra duties alluded to under the impression that £25 would be voted.

Alderman Northwood opposed the motion, and contended that no extra duties, worth mentioning, had been performed, though he admitted that the duties for which the messenger received a fixed salary were efficiently performed.

Alderman Broughton passed a similar compliment on the messenger, as regarded his value and trustworthiness, and considered he possessed abilities that should find more honourable employment, but demurred to the doctrine that, because he received an extra £25 one year, that he should, therefore, receive it in the next. The messenger, moreover, was one of the best paid officers (considering his rank) in the Corporation already. The amount of his salary was then stated, and the aldermen remarked that it was considerably more than the great majority of mechanics in New South Wales received. The duties alluded to were all done within his office hours, and were so light that they were not sufficient to occupy his leisure time.

Alderman Murphy did not think they should make fish of one officer and fowl of another. Many of the officers of the Corporation got paid for extra duties, and he thought, therefore, they would only be acting fairly to give extra pay to the messenger for extra duties.

Alderman Oatley thought the messenger sufficiently well paid already, and should therefore oppose the motion.

Alderman Thurlow having replied, the motion was put from the chair and carried.

LEVEL OF FORBES-STREET.

It was moved by Alderman Murphy, seconded by Alderman Sutton, and carried, "That the report of the Improvement Committee, received on the 12th instant, recommending the Council not to make any alteration in the present level of Forbes-street, be adopted."

The Council then separated.

NEW ZEALAND.

AUCKLAND.

We have papers to the 7th instant.

Adverting to the dawn of a railway era in the province of Auckland, the *New Zealander* remarks:—The exploring party appointed at the preliminary meeting held on Saturday, has completed the task assigned to it, under not the most agreeable circumstances—having been exposed to the full force of the heavy gales and rain of the last few days. Without unduly anticipating their report, we may say that the general results have been in every way as favourable as the most sanguine of the explorers could have anticipated; that they have returned fully satisfied of the natural facilities offered by the "lay" of the country, for the construction of a railway from the Drury and Hunua districts to either the Wairoa or Tamaki river; and that they regard such an undertaking as certain not only to hasten the profitable development of the mineral riches of our Southern settlements, but to increase the value of the lands through or alongside which the railroad may pass, and to prove of immense value to the whole body of settlers, by faciliating their means of communication with the city and harbour of Auckland—the market for their produce.

Attention is being again directed to the rapid decrease of the Maori population. The *New Zealander*, in introducing the subject, observes that it is one of deep moment to all who take interest in the question, whether it be by an inevitable law of nature, that wherever the "white man" sets foot as a colonist, there the dark-skinned aboriginal inhabitants shall slowly yet surely fade away from the face of the earth. Some short time since a blue-book was issued by the Colonial Government, entitled, "Observations on the State of the Aboriginal Inhabitants of New Zealand. By F. D. Fenton, the compiler of the Statistical Tables of the Native population." Valuable as Mr. Fenton's tables and observations are as a contribution towards the desired end,—decisive as they are as to the positive and rapid decrease of the Native population,—they carry us no further than that. They still leave us in the dark as to the precise causes of this decrease. He shows us that the use of spirituous liquors will not suffice to account for the decadence of the Maori race—nor the immoderate use of tobacco—nor the abstraction of females by white men—nor infanticide—nor (as regards the Waikato district) intestine wars—nor promiscuous sexual intercourse—nor the sudden change from savage to civilized habits of life. Mortality among children, caused by low social habits—long intermixture of blood—the use of putrid corn, and even a "mysterious and inscrutable law of nature" by which natives as well as families may die out, are suggested by Mr. Fenton; but in no sense do we see that his speculations, either one way or the other, sustain the use sought to be made of them as against the present Native Department. He himself only gives them as probable and approximate causes—not as exhausting or settling the great point in dispute. His suggested remedies are also all of the same general and tentative character—in fact, guesses after truth; and as such only he prudently places them before the colony. One of the first things that struck thoughtful inquirers into the ethnographic origin of the Maories, was—heathens as they were—the close similarity between many of their religious observances and the sanitary regulations of the Levitical code: in other words, the resemblance in many points between the Maories and the Jews—so leading many writers to speculate upon the probability of their being an offshoot of one of the Lost Tribes of the Children of Israel. The next thing that has struck some inquirers who have made this singular race their study for years past, is the fact, that since the introduction of Christianity among the aborigines of New Zealand—assuming the Maories to be the aborigines—while the general condition of the tribes who have embraced Christianity has been improved, their numbers have decreased. Some portion of this decrease might be attributed to the grafting of incongruous new habits and customs on old native habits and customs—some portion to the importation of European vices and diseases. But these causes would not suffice for a full explanation of the steadily-increasing decay of one portion of the Maori race, while another portion—and that the least civilized in one sense—remained about stationary in numbers. How was this contrariety to be accounted for? It would seem as if all reforms—whether political, social, or religious—when effected by human hands, occasionally, in uprooting ancient evils or superstitions, may also carry away something that, though seemingly evil, has yet the "soul of goodness" in it. Debasing as many of the superstitions of the heathen Maories were, the Levitical sanitary ritual which, by some as yet inexplicable means, had been engrafted into their mystical theology, provided with singular efficacy for the preservation of the health of their females, whether married or single. And we believe it will be found to be a fact, that many Maori tribes which have the greatest number of children born among them, are those that still cling more closely to their old superstitions and to the sanitary requirements of the Levitical law. Of this fact, we believe our most painstaking Missionaries and officers of the Native Department have satisfied themselves by careful investigation, and have been endeavouring to remedy the evil.

FRIENDLY ISLANDS.

By the Taranaki we have received news from the Friendly (Tongese) Islands to the end of August.

King George was then residing at Tonga. He had done so for some time, and it was believed that he intended to do so permanently. His time had been mostly devoted to holding prayer meetings throughout all Tonga, and he had built a new schoolhouse, which was opened on the 23rd of August. He intended to build a new church soon.

The following statements have been furnished as to occurrences at the Haabai Group, one of the three clusters of islands which constitute the Tongese Archipelago.

"We have heard that a cutter, the Jane, Captain Durans, under French colours, from Tahiti, has been wrecked off Oua at the Haabais, and that the Captain has laid a claim to some hundreds of dollars against the Haabai native. The particulars are as follow. The cutter sailed on a Friday last month from Lifuka, intending to come on to Tonga. There was on board of her the master, one white man, and a female passenger—three souls in all. They came as far as Oua, but taking the wrong channel, and it being dark, the vessel went ashore. In the morning some natives came on board and assisted a little to get the vessel off, but eventually they went on shore, leaving her still upon the rocks with all on board, and with nothing to eat. The next day being Sunday, the natives did not come off until the afternoon. The captain begged to be taken on shore, but the natives were not willing to do this without receiving payment, and their demands were rather exorbitant. The captain, finding that he and his companions were getting faint for want of food, threatened to shoot the natives if they did not come alongside with the canoe and take them on shore. The natives then allowed all three to get into the canoe and pulled on shore. But they would not feed them. They were suffered to fast until the following day—Monday. The captain has demanded payment upon the ground that the natives have broken the treaty with the French nation by not assisting himself and his companions in their distress. It is said that judgment has been passed, and that the natives of three islands—Oua, Hafeva, and Tugua—are to satisfy this claim."

"There is another charge against the Haano chief. Mr. Malcolm, of the Gratia, left an agent on that island—Hugh Williams. He bought a house for £20, and was subject to a rent of £2 annually for the inclosure in which it stood. For this he got a receipt from the chief. But the chief denied the validity of this paper, and tabooed the oil trade, unless Williams would pay three dollars per bucket of four gallons, although all the other traders at Lifuka paid but one dollar per bucket. Several other annoyances occurred. Eventually Williams left Haano; bringing away his trade and breaking up his establishment there rather than live under such tyranny."

The following is the section of the treaty with France above referred to, which has reference to cases of shipwreck:—

"This protection," (*i. e.*, the "effectual" protection of the French, in their persons and properties, who may come to reside at the Islands) "shall be extended to ships and to their cargoes. The assistance of pilots shall never be refused them, and, in case of shipwreck the chief and inhabitants of the neighbouring districts shall afford their aid and secure them from pillage. Recompense for salvage shall be settled in a friendly spirit, and, in case of difficulty by arbitrators chosen by both parties."

Mr. Pritchard's Return to Fiji.—We understand that H.M.S. Cordelia will shortly leave for a cruize among the Fiji Islands, and take Mr. Pritchard, British Consul for Fiji back to the Islands.

MERCANTILE AND MONEY ARTICLE.

Monday Evening.

The amount of Customs duties paid to-day, is as follows:—

	£	s.	d.
Brandy	402	12	2
Gin	319	4	9
Whisky	71	11	11
Rum	295	8	0
Wine	54	12	0
Ale, porter, and beer (in wood)	101	9	2
Tobacco and snuff	231	12	0
Cigars	74	5	0
Tea	33	0	0
Sugar (refined)	30	15	10
(unrefined)	300	0	0
Opium	3	10	0
Pilotage	10	4	0
Total	£1928	4	10

The Northern Escort arrived to-day from the Rocky River diggings, with 1415 ounces of gold-dust.

Mr. R. P. Richardson sold to-day, by auction, a piece of land on the South Head Road, opposite the Barracks, with buildings formerly known as the Nag's Head Inn, for £550; weatherboard cottage and about half an acre of land, Longbottom, £150; two small cottages in Botany-street for £335. He also reports having sold privately a five-sixths share in 40 feet of land, situated in Kent-street, for £400, or £10 per foot.

Messrs. Frith and Payten held, to-day, an extensive sale of boots and shoes. There was a good attendance of buyers, and most of the lots were sold. Seasonable goods brought fair prices, but in other descriptions of boots and shoes there is no improvement to notice.

The Weather, the Roads, and the Crops.—The heavy fall of rain since the new moon came in has visibly contributed to the growth of both grass and cereals. Experienced farmers are confident that the farmer is "right" for the season as they have full faith in the maxim that after the middle of August no future frost can do injury to, or hinder its growth. The wheat about Reidsdale, Oronmier, and St. Omers, looks especially well, and should no mischance happen the labour of the agriculturist will be crowned with success. The pluvial falls have, however, been so continuous and heavy that upon some of the low lands the surface is covered as a lake. On Monga-flat the ground has been rendered very boggy, and the drays find a considerable difficulty in traversing it. The Goulburn Road near Boro is in an almost impassable state, and the disadvantage of not availing of the Government vote in due season must be generally admitted. The creeks in the neighbourhood have been running bank high, and all acknowledge that we have had quantum sufficient for many months to come.—*Braidwood Daily News.*

To Jewellers and others.—Purkis and Lambert request the attention of the trade and others to their sale, this day, at the Mart, at eleven o'clock, of first-class gold and silver watches, jewellery, plated and gold; portemonnaies, &c.—Adv.

Remarkable and Destructive Frost in the United States in June.—It is scarcely necessary (says the London *Leader*) to remind the reader that the amount of trade depends at all times on the quantity of commodities to be exchanged (traded with.) Yet if we notice the great attention paid by many commercial writers to the quantity of gold and silver that goes out or comes in, and their disregard of the quantity of commodities produced, we may almost fancy that this fundamental principle is very frequently forgotten. A great deal has been said in the week, for example, by our daily contemporary, about the prices of stocks and railway shares, and the exportation of gold from the United States, but they have taken no notice, as far as we have seen, of the June frost, which occurred on the night of the 13th and extended from Canada to Illinois, and enchained in its fetters Ohio, Pennsylvania, the western part of New York, and the intervening lands. It snowed on Saturday, June 4th, throughout the western part of the State of New York; at night it froze hard and ice was a quarter of an inch thick; the frost remained on the ground in the shade till after eight o'clock on Sunday, and corn (maize), potatoes, and garden vegetables were killed down to the ground. Many trees were scorched and withered, as if a fire blast had passed over them, and all the new wood was destroyed. The fragrance of leafy June was exchanged for intolerable stench of decaying vegetation. All the annual plants were killed. The clover leaves were dried up, and the flowers seared. The young apples were all killed—they fell blackened corpses to the ground. Garden vegetables, covered by straw, pails, buckets, boxes—whatever could be collected—could not be saved. No airy hill side of sheltered valley seems to have escaped. Pears, plums, gooseberries, cherries, grapes, peaches—all shared the same fate as the apples, and were entirely destroyed. The gardens and fields, were blackened as if burnt. Every sort of spring crop was entirely destroyed. Some curious facts are stated:—"A hill of *lila lancifolia* was killed in the north-west half of it. The south-west half was untouched. Within a length of four or five feet, there were four tomato plants and a bucket of water; the latter was frozen over, two of the plants were killed, and the other two entirely unharmed. Instances of this sort were frequent in all gardens." These accounts are gleaned from reports in the American papers, arriving from a wide district of the country. They all agree in representing the cold on June 4th, at night, as the severest ever remembered in the United States, so late in the season. It was as sharp as in the middle of December, and more destructive than any frost for many years.

COUNTRY LAND SALES.

On MONDAY, OCTOBER 10th, at eleven o'clock.

At the Police Office, Wee Waa.

Suburban Lots.—County unnamed. Parish of Wee Waa: Lot 1, 3 roods 32 perches; lot 2, 3 roods 24 perches; lot 3, 1 acre; lot 4, 1 acre 24 perches; lot 5, 1 acre 32 perches; lot 6, 2 acres 30 perches; lot 7, 3 acres 2 roods 18 perches; lot 8, 2 acres 1 rood 17 perches; lot 9, 5 acres 3 roods 8 perches; lot 10 and 11, 6 acres each; lot 12, 7 acres 1 rood 36 perches; lot 13, 6 acres 3 roods 12 perches; lot 14, 5 acres 2 roods 27 perches; lot 15, 6 acres 11 perches; lot 16, 4 acres 32 perches; lot 17, 4 acres 1 rood 24 perches; lots 18 and 19, 5 acres each; lot 20, 6 acres 2 roods; lots 21 to 23, 5 acres each; lots 24 to 28, 4 acres each; lots 29 and 30, 1 acre 2 rood 16 perches each; lot 31, 1 acre 1 rood 32 perches; lot 32, 1 acre 1 rood; lot 33, 1 acre 32 perches; Upset price, £2, £3, and £4 per acre.

Town Lots.—County unnamed. Parish of Wee Waa. Town of Wee Waa: Lots 31 to 73, 1 rood 8 perches each. Upset price, £8 per acre.

On TUESDAY, 11th OCTOBER, at eleven o'clock.

At Hay (Lang's Crossing-Place).

Town Lots.—County unnamed. Parish of Hay. Town of Hay: Lots 1 to 50, 2 roods each. Upset price, £8 per acre.

At the Police Office, Wee Waa.

Town Lots.—County unnamed. Parish of Wee Waa. Town of Wee Waa: Lots 1 to 20, 1 rood 8 perches; lots 21 to 62, 2 roods each. Upset price, £8 per acre.

On WEDNESDAY, 12th OCTOBER, at eleven o'clock.

At Hay (Lang's Crossing-Place).

Suburban Lots.—County unnamed. Parish of Hay. At the town of Hay: Lots 1 to 3, 4 acres each; lots 4 and 5, 6 acres each; lot 6, 7 acres 1 rood 5 perches; lot 7, 6 acres 1 rood 22 perches; lot 8, 6 acres 1 rood 5 perches; lot 9, 7 acres 2 roods 6 perches; lot 10, 5 acres 3 roods 23 perches; lots 11 to 15, 4 acres each. Upset price, £2 per acre.

Town Lots.—County unnamed. Parish of Hay. Town of Hay: Lots 16 to 47, 2 roods each. Upset price, £8 per acre.

At the Police Office, Wee Waa.

Town Lots.—County unnamed. Parish of Wee Waa. Town of Wee Waa: Lots 1 to 68, 1 rood 8 perches each. Upset price, £8 per acre.

FUNERAL.—The Friends of Mr. WILLIAM ARMSTRONG are invited to attend the Funeral of his deceased Wife, ANN, to move from St. Vincent's Hospital, THIS (Tuesday) AFTERNOON, at three o'clock. JAMES CURTIS, undertaker, Hunter-street, September 27th.

LOYAL WANDERING MINSTREL LODGE, No. 2079. I. O. F., M. U.—The Officers and Brothers of the above Lodge, together with the officers and brothers of the various Lodges, are requested to attend the Funeral of the late Wife of Brother WILLIAM ARMSTRONG, on TUESDAY, the 27th instant. Brethren to meet at the Odd Fellows' Hall, Sussex-street South, at Two o'clock.
By order of
ALEX. RALSTON, N. G.
ALEX. BAIKIE, Secretary.

NOTICE OF REMOVAL.—GEORGE CHISHOLM and CO. intend removing from their small and inconvenient stores, in Pitt-street, to those large and commodious premises now being built in George-street, next the Post Office.

THE EYESIGHT.—SPECTACLES.—Mr. DE LISSA'S Tinted Lenses of the greatest transparent power and brilliancy, entirely superseding every other kind of glasses now in use. Immediately they are placed before imperfect vision every object becomes clear and distinct, and the most aged and defective sight is brought to its youthful, natural, and original state.

DEAFNESS.—The ORGANIC VIBRATOR, a small valuable, newly-discovered instrument, for the relief and cure of deafness, enabling deaf persons to hear with ease. To be had only of Mr. DE LISSA, optician and aurist, No. 44, Wynyard-square, near the Union Club.

AUSTRALIAN SUBSCRIPTION BOAT CLUB, Woolloomooloo Bay.—Boats LET, on hire, to non-subscribers at reasonable rates. Ferry from Centipede Rock, near the ladies' baths, to Club Wharf, and Manly Beach steamer. Gentlemen can obtain copies of the rules and all necessary information on application to P. R. HOLDSWORTH, manager.
For SALE, a good second-hand WHALEBOAT.

GENERAL AGENCY.—The undersigned are prepared to undertake the importing of STOCK, executing of INDENTS, &c., on the most favourable terms, through their London agent, Mr. J. H. Scott Durbin, a gentleman of 20 years' experience in these colonies. RAYMOND and CO., Lyons-buildings.

THE UNDERSIGNED are prepared to make liberal ADVANCES on PRODUCE consigned to their friends, Messrs. J. H. Scott Durbin and Co., London. RAYMOND and CO., Lyons-buildings.

DENTISTRY.—Messrs. J. and M. EMANUEL, Dentists (Established 1842), employ the following methods of inserting artificial teeth. First—on the roots of the natural teeth; second—on a plate, with clasps; third—with spiral springs; fourth—by atmospheric pressure. The gold used is 20 carats fine. George-street North.

BURGURRAH and WARROO RUNS, Balonne River, Surat.—I hereby give public NOTICE that I am the SOLE OWNER of the above runs, and that the northern boundary of the Warroo is distant about eleven or twelve miles to the north of the house built by me about eleven years ago, and now standing near the eastern bank of the river, a little to the north of Sir Thomas Mitchell's camp No. 13, on the opposite side. The following is an extract from the description sent in by me to the Government, in 1852, which was then and has ever since been recognised as the true description of my said runs:—

"Burgurrah and Warroo, commencing at a tree marked F, opposite Mitchell's No. 8 camp, and extending on the eastern side of the Balonne River (in the district of Maranoa) to a tree marked F on a creek named Thungar, at its confluence with the Balonne River, bounded on the north five miles by the Thungar Creek; on the south by a south-east line for five miles; on the east by unoccupied Crown lands; and on the west by the River.

(Signed) "H. Whitty,
"Commissioner of Crown Lands.
"Surat Crown Lands' Office, June 28, 1852"

Thungar Creek is about 11 or 12 miles to the north of my said house, and the tree marked F on that creek and other original boundary marks made by me are still to be found.

I give this notice because a claim has lately been made to a portion of "Warroo," lying to the south of Thungar Creek, including my said house and other improvements, and I hereby caution all persons from trespassing on any part of my said run called "Warroo," or dealing with any person in reference thereto.
R. FITZGERALD.
Springfield, Sydney, 26th September, 1859.

TEA.—For SALE, by the undersigned, Hysonskin Tea, per Atmosphere. HENRY MOORE, Moore's Wharf.

PRIME MESS BEEF.—"ACHESON, CLARENCE RIVER."—The undersigned, having been appointed Agents for the SALE of the above celebrated brand, are prepared to execute orders for any quantity.
ASHDOWN and CO.

TO GRAZIERS, FARMERS, SPECULATORS, &c.—For Private SALE, 2000 acres of well-watered, rich, agricultural, securely enclosed LAND, in one lot, or to suit purchasers, situated twelve miles south of Campbelltown, near Parkhall and Douglass Park, and about two miles from the proposed Douglass Railway Station. Price 25s. per acre. Apply first by letter to T. O. MITCHELL, Parkhall, via Riversford, Menangle.

FOR SALE by the undersigned, ex Bostonian, and other late arrivals—
Brandy, Martell's, in cases
Ditto, Vine Growers' Company's, in hogsheads
Ditto, ditto, in cases
Geneva, key brand
Old tom, Swaine, Boord and Co.'s and Tanquery's
Demerara rum, 33 o.p.
Whisky, finest Campbelltown, pure white
Ale, Bass' No 3 Burton
Ditto, Robert Younger's
Ale and porter, Byass' new label
Port and sherry wines, superior samples
Hams, Sinclair's, in cases
Cheese, Chedder and North Wilts
Starch and blue, Colman's No. 1
Muscatel raisins, barcelona nuts
Jordan almonds and soft shell ditto
Oilmen's stores, assorted
Arrowroot
Candied peel
Cloves, sago, pimento, ginger, best Jamaica
Lobsters, bloaters, sardines, half and quarter boxes; red herrings, in tins
Carbonate of soda
Champion's vinegar
Split peas, oats and gram
Gunny bags
Canvas, Nos. 1 to 4
Tin plates, Dafen and Pontpool I.C., IX., IXX.
MACKINTOSH, HIRST, and CO., 13, Macquarie-place.

BRIERLEY, DEAN, and CO. have constantly on SALE at their New Stores, 273, George-street opposite Hunter-street,
Cotton goods
Silk ditto
Woollen ditto
Worsted ditto
Haberdashery
Millinery
Small wares
Hosiery and gloves
Made-up clothing
Blankets
Flannels
Straw hats and bonnets
Boots and shoes
Earthenware
Brushware
Saddlery
Ironmongery
Cutlery
Perfumery
Oilmen's stores
Wines
Spirits
Ale and porter
Soap
Salt
Coffee
Sugar
Bengal cigars and cheroots
Manila ditto.

SYDNEY MORNING HERALD.—Copies of the above can be obtained every morning at the undermentioned places, viz.:—
Mr. Edward Ford, 348, George-street, opposite B. Mountcastle's
Messrs. Perdrian and Co., Steam Ferry; Mr. Glassop, east end Darling-street; Mr. E. Ramsay, Mr. Glover, west end Darling-street, Balmain
Mr. B. Lee, Lower George-street, late Herald Office
Mr. Robert Mackay, bookseller, corner of Elizabeth-street and Bathurst-street
Mr. Lusty, Brickfield-hill
Mr. W. West, Post Office, Toll Bar, Botany Road
Mr. Francis Larter, Constitution House, South Head Road
Mr. F. M. Moore, 30, Castlereagh-street North, next Dr. O'Briens
Mr. John Air, 15, Kent-street North
Mr. J. B. Mummery, Chemist and Druggist, Newtown
Mr. W. Thomas, Waverley
Mr. Joseph Russell, Grocer, Miller's Point
Mrs. Brown, Tobacconist, Market-street
Mr. Bartlett, Tobacconist, opposite the Police Office
Mr. John Wise, William-street, Woolloomooloo
Mr. F. M'Lean, Post Office, Rushcutter's Bay, South Head Road
Mr. W. Davey, Bootmaker, North Shore
Mr. F. Codner, 555, Brickfield-hill
Mr. William Hogan, 113, King-street East
Mr. William Malsbury, 35, Parramatta-street
Mr. Thomas Pierce, Yurong and Stanley streets
Mr. J. M'Kinlay, opposite Barracks, Paddington
Mr. Fleming, Pyrmont
Mr. Moon, Redfern
Miss A. Williams, Post Office, Petersham
Mr. P. Rawlings, Ashfield
Mr. P. M'Grath, Longbottom
Mr. James Dole, Camperdown
Mr. D. Jones, Manly
Mr. D. Kelly, Five Dock
Mr. J. M. Kelly, Baulkham Hills
Mr. George Pope, Ryde
Mr. E. Mason, Stationer, Parramatta
Mr. E. Goertz, Storekeeper, Liverpool
Mr. Richard Edwards, Chemist, Windsor
Mr. John Ducker's Store, Richmond
Mr. Thomas Fisher, Campbelltown
Mr. R. A. Stace, Iron Bark, Orange
Mr. D. Beck, Long Creek
Mr. John Hurley, Postmaster, Burrowa
Mr. Westby Walker, Postmaster, Turon
Mr. Robert Blair, Bookseller, West Maitland
Mr. A. W. Hayles, Rocky River
Mr. John Wisdom, Morpeth
Mr. E. Doherty, Raymond-terrace
Mr. Charles Cottrell, Penrith
Messrs. Bishop and Cullum, Newcastle.

Advertisements.—Cash Advertisements received by Mr. F. Larter, Constitution House, South Head Road; Mr. Lusty, Brickfield-hill; Mr. B. Lee, old Herald Office, Lower George-street; Mr. E. Ford, 348, George-street, opposite B. Mountcastle's; Mr. F. Codner, 555, Brickfield-hill, up to 7 p.m.; Messrs. Perdrian and Co., Balmain Steam Ferry; and Mr. J. B. Mummery, Newtown, up to 5 p.m.

TO CARPENTERS and BRICKLAYERS.—Separate TENDERS are required for the above works to be done in the Erection of a House, to be built at Paddington. Apply to Mr. THOMAS JARRETT, Royal Oak Hotel, Paddington.

TO BUILDERS.—TENDERS are required for the erection of a cottage at Darling Point. Plans and specification to be seen on application to Mr. EDMUND T. BLACKET, Mort's-buildings, who will receive tenders on or before WEDNSDAY, October 5th. No tender will be accepted that is not perfectly satisfactory.

General Post Office, Sydney, 21st September, 1859.
WASTE PAPER.—TENDERS for the purchase of about one ton, more or less, of Waste Paper, will be received at this office until noon of Wednesday, the 5th October next.
W. H. CHRISTIE, Postmaster-General.

SAILORS' HOME.—No eligible tenders for rented premises having been received, the Provisional Committee have extended the time for receiving the same to MONDAY, the 10th October, 3 p.m.
NORTH, NAPOLEON LEVELL, } Secretaries.

General Post Office, Sydney,
20th September, 1859.
CONVEYANCE OF MAILS.—(New Postal Lines.)—CONVEYANCE being required for the Post Office Mails from and to the following places, for one or three years, from the first of January, 1860, persons disposed to contract for providing the same are invited to transmit their offers in writing to this office, before 12 o'clock on WEDNESDAY, the 2nd November next, endorsed "Tenders for the Conveyance of Mails."

SOUTHERN ROAD.

From and to Binalong and Merrimbolla, twice weekly.
From and to Shoalhaven and Green Hills, thrice weekly.
From and to Cooma and Buckley's Crossing Place, once a week.

NORTHERN ROAD.

From and to Jones' Island (Manning River) and Cundletown, once or twice a week.
From and to Murrurundi and Breeza, once a week.
From and to Junction of Rivers Murray and Darling and Mount Murchison, once a fortnight.
From and to Wallgett and Fort Bourke, Darling River, once a fortnight.
From and to Coolah and Denison Town, Talbragar, Castlereagh River, once weekly.

The conditions will be the same as those published in the notice of 9th instant, and tenders will not be considered except in accordance therewith.
W. H. CHRISTIE, Postmaster-General.

AUSTRALIAN HOME COMPANION.—The attention of the friends of colonial literature is respectfully drawn to this publication, to secure its permanent establishment, their continued and increased support is earnestly desired. Its large circulation (1900) is an evidence of the high appreciation in which it is held by the public, and is a security to those who desire to promote its interest, that their confidence is not misplaced. Many difficulties require yet to be overcome, and the publisher would press these considerations upon its friends, that its progressive improvement may be promoted and its usefulness further increased. 300, Pitt-street, Sydney.

TO ADVERTISERS.—The First Number of "THE SOUTHERN CROSS," the New Weekly Newspaper, will be Given Away, on the 1st of OCTOBER. Advertisers are requested to send in their orders early, as the number of advertisements inserted will be limited.
Advertising Agency Office, 10, BRIDGE-STREET.

LONDON BOOK AGENCY.—BOOKS at the English published price. 350, George-street, Sydney.

NEW NAUTICAL BOOKS.—Findlay's Directions for Pacific Ocean; Raper's Navigation, Wind Chart, Mercantile Code of Signals, and Navy List; Kedge Anchor, Merchants' Shipping Act; New Chart Moreton Bay, Rudimentary, Mechanics, &c. Just received per Parsee. READING and WELLBANK, Bridge-street.

STEPHENS' Blue-black WRITING FLUID, and brilliant RED FLUID, just received. READING and WELLBANK, Bridge-street.

EVER OF THEE I'M FONDLY DREAMING! Most popular song of the day, 2s. 6d. J. R. CLARKE, music seller, 356, George-street.

ROSELLA SCHOTTISCH, illustrated, just published price 2s. 6d. To be had at the Music-shops.

NEW BALLAD.—"Queen of the West," by L. H. Lavenu, 2s. 6d. J. R. CLARKE, 356, George-street.

SACRED SONG.—"Consider the Lilies," by Glover, 2s. 6d. J. R. CLARKE, 356, George-street.

NEW MUSIC.—Just imported, an immense assortment (upwards of 3000 pieces), vocal and instrumental, on SALE, at London prices. G. PECK'S, Music Repository, 13, Park-street.

NEW MUSIC, just to hand, ex DAMASCUS and BLUE JACKET.
First love Waltz, as solo and duet, each 4s.
Bonnie Dundee Quadrilles, 4s.
Off to Charlestown Quadrilles, very popular, 3s.
Garibaldi Galop, 3s.
Flower of the Field, waltz, 4s.
Fairest of the Fair, 4s.
Neptune Galop, 3s.

NEW SONGS.

Bonnie Kate, or Let me Whisper in thine ear, 2s.
Thou art with me (sacred), 2s.
First Love, 2s.
Jessie's Dream, 2s. 6d.
Dinna ye hear, 2s. 6d.
Willie we have missed you, 2s.
A liberal discount to the profession. Music posted free of expense. All music at English price.
C. T. SANDON, Importer of Music, 318, George-street, near Hunter-street.

NEW EDITIONS of PIANOFORTE and SINGING, PRECEPTORS, &c.
Etude de la Velocite, in two books, by Czerney, price 10s. 6d.
Czerney's Etude de la Velocite, complete in two books, edited by Brinsley Richards, price 10s. 6d.
Hunter's Instructions for the Pianoforte, 10s. 6d.
Hamilton's Instructions ditto, 6s.
Stone's ditto ditto, 6s.
Jousse's ditto ditto, 4s. 6d.
Czerney's 101 Exercises, 4s. 6d.
Farmer's Instructions for the Pianoforte, 6s.
Balfe's New Singing Preceptor, 7s. 6d.
Bertini's Studies for the Pianoforte, in 2 books, each 4s.
Also, Instruction Books for Violin, Cornopean, Guitar, Flute, Fife, Harmonium, &c., &c. Best Roman violin strings.
C. T. SANDON, Importer of Music.

NEW BOOKS, &c., ex John Banks, imported by JOHN L. SHERRIFF.
Gaslight and Daylight, by George A. Sala
Haydn's Dictionary of Dates
Memoirs of the Empress Catherine II.
Memoir of Patrick Fraser Tytler, author of the "History of Scotland"
The Family Herald, vol. 16
The Children's Mirror, by Catherine D. Bell
Old Jack, a Man-of-War's-Man
Queckett's Practical Treatise on the Use of the Microscope
Laurie's Interest Tables
Mothers of Great Men, by Mrs. Ellis
North and South, by the author of "Mary Barton"
Blackie's Bible History
Diary of a Clergyman in Australia
Voices from Calvary, by R. T. Jeffrey
Travels of Baron Munchausen
Enquire Within upon Everything
Ruth, by Rev. Dr. Cumming
Health and Disease: their Laws, by Dr. Benjamin Ridge
The Whist Player, by Lieutenant-Colonel B——
Macduff's Story of Bethlehem
A new Dictionary on Quotations
M'Cheyne's Narrative of a Mission to the Jews
Life Thoughts, by Henry Ward Beecher
Aytoun's Ballads of Scotland, in 2 vols.
Huc's Chinese Empire
Sutton's Dictionary of Photography
Macduff's Memoirs of Gennesaret
Lowndes' Bibliographer's Manual
Bon Gaultier's Ballads
Ingoldsby Legends
Bartlett's Young Man's Companion
Morley's Memoirs of Bartholomew Fair
Hassall's Food and its Adulterations
How we are Governed, by A. Fonblanque
Sunny Seasons of Boyhood
More about Jesus
Household Economy
The Ministry of Life
Kelly's Victoria in 1853 and 1858, 2 vols.
Nare's Glossary, illustrating English authors, 2 vols.
Roscoe's Nisi Prius, 9th edition.
JOHN L. SHERRIFF, bookseller and stationer, 256, George-street, Sydney.

SUPERIOR NEW ZEALAND POTATOES for SALE, in lots to suit purchasers. BROWN and HILL, Grafton Wharf.

GROCERY BUSINESS to be DISPOSED OF, in one of the best positions in George-street, doing a first-rate ready trade. Rent, moderate; fixtures complete. For particulars apply to Messrs. SMYTH and WELLS, grocers, Hunter and Phillip streets.

TO BE SOLD, one of the best MANGLES in this city which can be seen at Mrs. MYALL'S in John's Lane bottom of Elizabeth-street, Haymarket.

3000 PRIME HEAVY HIDES, by weight, on private SALE, by PRITCHARD and WILLIAMS, Sussex-street.

ROBINS and CO.'S PATENT PORTLAND CEMENT, just received, ex Damascus and Blue Jacket, and ON SALE at W. PATTEN'S, Pitt-street, 342 and 344.

FOR SALE, a nearly new sailing DINGY. Apply to Mr. STANNER, at the Wharf, Hunter's Hill.

DOORS.—Panel Doors 8s. 6d., at ADRAIN'S Auction Mart, King-street.

LATH NAILS, 25s. per keg, at ADRAIN'S Auction Mart, King-street.

A LARGE FRONT ROOM, with balcony, and back BEDROOM, first floor, TO LET; or as OFFICES. 39, Elizabeth-street North.

A FURNISHED BEDROOM to LET, Partial Board or otherwise. 41, Crown-street, Woolloomooloo.

A COTTAGE TO LET in Woolloomooloo-street. For particulars apply at the Paddington Brewery.

A LARGE OFFICE to LET, on the first floor, at 205, George-street North.

DESIRABLE BUSINESS PREMISES.—To LET, HOUSE and SHOP, situate in George-street, opposite Margaret-place, and now occupied by T. and W. Bennett, boot and shoe manufacturers. Apply to T. and W. BENNETT, 262, George-street.

KISSING POINT.—To LET, a good Stone COTTAGE, and orchard containing a fine assortment of fruit-trees, mostly in excellent bearing condition; rent greatly reduced. Apply to Mr. H. BOND, at Messrs. P. N. Russell and Co.'s, George-street; or to Mrs. HENRY, on the premises.

NEAR the Ferry, Balmain.—APARTMENTS for one or two Gentlemen. Fine view of the harbour. Apply to Mrs. POWELL, Windeyer Cottage.

LAND at PETERSHAM.—To LEASE, a nine-acre block of land, situated at Petersham; to be let on an improving lease. A cottage and other improvements are already made. Apply to Mr. WILLIAM CLARKE, Petersham.

NEWTOWN and COOK'S RIVER ROAD.—To be LET, for 99 years, at moderate rentals, in suitable allotments, with a right to purchase the freehold within seven years, all those FORTY ACRES of LAND, fronting the Cook's River Road, situate between Mr. Thomas Holt's and Mr. Fanning's properties. This property has been surveyed and allotted by Messrs. Reuss and Brown. Plans and lithographs are being prepared. Apply to Mr. M. F. JOSEPHSON, at No. 252, Castlereagh-street, or to Mr. CHARLES PITTS, Campbell-street, upon the ground.

PRIVATE BOARD and RESIDENCE, pleasantly situated. Apply to Mr. PALMER, Naturalist, 9, Hunter-street.

SHOP, in George-street, opposite the Markets, to be LET. Apply next door; or to J. BARTLETT, opposite Police Office.

SOUTH HEAD. The SIGNAL HOTEL to LET. Apply to ANDREW ALLAN, auctioneer, 88, King-street.

TO LET, comfortable six-roomed HOUSES, Nos. 2, and 3, Raphael's Buildings, Prince-street. Water laid on. Very low rent.

TO LET, a two-roomed HOUSE, Raphael's Buildings, corner of Clarence-street and Margaret-street. Water laid on. Rent low.

TO LET, a Family RESIDENCE in Brougham-street, Woolloomooloo; coach-house, 3-stall stable, well of water, with enclosed yards. To LET, large and small SHOPS on the South Head Road, near Hyde Park. Apply to Mr. BURDEKIN, Macquarie-street.

TO LET, a HOUSE, in York-street, consisting of eight rooms; enclosed shed in yard, back entrance, water laid on, area entrance, &c. Immediate possession can be given. Also, those comfortable four-roomed HOUSES, in the rear of the above, with back entrance, water laid on, &c. Apply to EDWARD SALAMON, Margaret-street.

TWO OR THREE ROOMS TO LET, Stable, Hay-loft, &c.; rent moderate. 13, Jamison-street.

TO LET, COTTAGE, 4, Judge-street, Woolloomooloo Bay. The gentleman who took the key on Saturday is requested to return it. WILLIAM ALLEN, 476, George-street.

TO LET, two good ROOMS, unfurnished. Apply J. CLARKE, grocer, corner Pitt and Liverpool streets.

TO LET, a large dry YARD, with stabling, lofts, and large dry sheds. The above would be suitable for a builder or a carpenter and joiner. Rent, moderate. Apply at the Jew's Harp, Brickfield-hill.

TO LET, in Macquarie-street, No. 229, a large HOUSE. Apply to the New York Tavern, Argyle-street. J. FARRELL.

TO LET.—HOUSE and SHOP, in Park-street. Apply to S. HEBBLEWHITE, 992, Pitt-street.

TO PUBLICANS.—To LET, at Cook's River, that old established PUBLIC-HOUSE, known as the Union Inn, now in full trade. For further particulars apply to the proprietor, M. GANNON, Cook's River.

TO LET, that large verandah House, No. 7, Upper Fort-street. Enquire at No. 64.

TO LET, Two new HOUSES, in Hill's-terrace, Riley-street, containing four rooms and a kitchen, with verandahs, balconies, spacious yards, and water laid on. Rent, moderate. Apply to JOHN HILL, jun., King-street, or William-street, Woolloomooloo.

TO LET, a Waterside RESIDENCE, containing six good rooms, kitchen, laundry, &c; verandah back and front; the whole well finished, and having a fine view. Apply to GARLAND and BINGHAM, 115, York-street.

TO STOREKEEPERS and others.—To LET, or for SALE, the Darling Downs STORE, in the flourishing towns of Warwick, Queensland, lately in the occupation of M. Berkman. They comprise a substantial two-storied brick store, 64 x 42 feet; a Dwelling-house of nine rooms, with every convenience, servants' rooms, garden, &c. Attached to the stores are two side stores; and detached a two-storied store, 55 x 50 feet. The largest trade in the district having been carried on in these stores for a number of years, there can be no doubt in the hands of a man of business, a splendid fortune could be realized in a few years. For terms, &c., apply to ROSSITER and LAZARUS, 216, George-street.

TO BE LET, furnished, that commodious residence, CHESHUNT HOUSE, overlooking the harbour, at the junction of Cumberland-place and George-street; coach-house, stables, &c. Apply to Mr. T. B. DEARIN, Baptist-street, Surry Hills.

TO LET, on the Cook's River Road, TWO Verandah COTTAGES, with four rooms each; and containing 1 acre of ground, with good yards; fenced, &c. The cottages can be let together, with 3½ acres of land divided into 3 paddocks at 15s. per week; or separately, with 2 acres each, at 8s. Apply to S. H. TERRY, Cook's River.

TO LET, the FIRST FLOOR of large Premises in George-street—the centre of business, with a front entrance, and convenient platform at the rear for hoisting in goods, capable of holding 500 tons of merchandise; suitable for any business. JAMES H. ATKINSON, Royal Hotel Gateway.

TO LET, the STORES and premises off George-street, recently in the occupation of Messrs. Egan and Son. Apply to G. W. GRAHAM, solicitor, Elizabeth-st. North.

TO WORKING MEN and others.—TO LET, comfortable HOUSES, in a healthy situation, at moderate rents. Apply to Mr. J. R. TREEVE, 309, late 214, George-street.

TO LET, in the best part of William-street, four doors above Dowling-street, the HOUSE, No. 126, containing nine rooms, and out-offices. Enquire at the house.

TO LET, a COTTAGE—No. 33, Victoria-street; rent moderate. BEIT and MACDONALD, 6, Wynyard-st.

TO LET, CHUSAN COTTAGE, Balmain, lately occupied by J. Black, Esq., M.L.A. Contains four rooms, hall, kitchen, servants' room, pantry, washhouse, &c. PAPWORTH and PHILBEN, 121, King-street East.

TO LET, a genteel RESIDENCE of six rooms, at Darlinghurst. PAPWORTH and PHILBEN, 121, King-street East.

TO LET, a respectable RESIDENCE, Point Piper Road. PAPWORTH and PHILBEN, 121, King-street East.

TO LET, in Crown-street, a HOUSE of six rooms. PAPWORTH and PHILBEN, 121, King-st. East.

TO LET, in Kent-street South, a HOUSE, of five rooms, with large back premises, water laid on, and taxes paid. Apply to Messrs. L. and S. SAMUEL, 181, Pitt-street North.

TO LET, two HOUSES, near Hyde Park. G. F. BAKER, Hunter-street, late Empire Office.

TO LET, Ravenswood Cottage, at the corner of Bourke and Albion streets, Surry Hills, (now in the occupation of C. H. Horsley, Esq.), containing six rooms, kitchen, coach-house, stables, &c., with large yard, garden, and every convenience. Rent moderate. R. P. RICHARDSON, Bank Buildings, George-street.

TO LET, that commodious PUBLIC-HOUSE, and premises, situate on Brickfield-hill, Sydney, known as the "Golden Fleece," at present occupied by Mr. Markwell. There are extensive stables, very large yard, and every convenience for teams. Possession will be given on the 1st of January next. For particulars apply to G. W. GRAHAM, solicitor, 6, Elizabeth-street.

TO LET, the SHOP, DWELLING-HOUSE, and premises, on Brickfield-hill, Sydney, at present occupied by Mr. Watson, chemist, &c., three doors south of Goulburn-street. Possession will be given on the 1st of January next. Apply to G. W. GRAHAM, solicitor, 6, Elizabeth-street, Sydney.

TO LET, the HOUSE and premises, two doors north of Market-street, at present occupied by Mr. Rundle, and lately used as the E. S. and A. C. Bank. The premises are very large, and the cellarage very lofty and perfectly dry. For particulars apply to G. W. GRAHAM, 6, Elizabeth-street, Sydney.

TO LET, a three-storied HOUSE, seven rooms and kitchen; water laid on; good yard. For particulars apply to WILLIAM HARMER, No. 21, Bay-street, Woolloomooloo Bay.

TO LET, three small COTTAGES at Rushcutter-bay. Apply W. FOSTER, grocer, near the toll-gate.

TO LET, The Vale of Avoca, Parramatta-street, with license; no bonus. Also, TWO HOUSES, in Kensington-street. Apply to Mr. H. VAUGHAN, 136, King-street.

TO LET, at Snail's Bay Balmain, No. 2, EXETER VILLAS. Apply to G. ELWORTHY, 383, George-st.

TO LET, a HOUSE, eight rooms and shop. Apply J. REDGATE, Ann-street, Surry Hills.

YARD, CARPENTER'S SHOP, enclosed and open Sheds, Office, &c., to LET. SELFE, Circular Quay.

99 YEARS' LEASE, with Right of Purchase, &c.—To LET, on the Missenden Road, Newtown, ALLOTMENTS. Rent, £4 per annum. Apply to S. H. TERRY, Cook's River Road.

SYDNEY MORNING HERALD.—
CASH TERMS OF ADVERTISING.
Two lines or 14 words ... One shilling.
Four lines or 30 ditto ... Two shillings.
Six lines or 48 ditto ... Three shillings.
Eight lines or 64 ditto ... Four shillings.
And 3d. (three pence) per line for every additional line of eight words for each insertion.
All advertisements under six lines will be charged 3s. to advertiser's account, if booked.
Births, Deaths, and Marriages, 3s. each insertion.
N.B.—Advertisers in the country can remit payment in postage stamps.

Sydney: Printed and published by John Fairfax and Sons, at the Office of the "Sydney Morning Herald," Pitt and Hunter streets, Tuesday, September 27th, 1859.

National Library of Australia http://nla.gov.au/nla.news-page1490107